

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.Petn. No. 33 of 2025

Date of order: 05.03.2026

Sengchang G. Sangma vs The State of Meghalaya & ors

Coram:

Hon'ble Mrs. Justice Revati Mohite Dere, Chief Justice

Appearance:

For the Petitioner : Mr P.T. Sangma, Adv.

For the Respondents : Mr S. Sengupta, Addl PP [for R1-4]
Mr S.A. Sheikh, Adv with
Mr L.N. Areng, Adv. [for R5&6]

Pursuant to the order dated 11th February, 2026, the respondent No. 5 (original complainant) and the respondent No. 6 (victim) are present in Court. The petitioner is also present in person.

2. Both, the respondent Nos. 5 and 6 have filed their respective affidavits. In the affidavit, the respondent No. 5 (mother of the victim and original complainant) has, in paragraph 5 stated that she has no objection to the marriage between her daughter (respondent No. 6) and the petitioner, as they are staying together as husband and wife. She has further

stated that the petitioner and the respondent No. 6 have a baby girl aged six years. The respondent No. 5 has further stated in the affidavit that in the event, the case is not quashed, the baby girl will suffer and hence, she does not wish to proceed with the prosecution.

3. The respondent No. 6 (victim) has also filed her affidavit. In the said affidavit, she has stated that there was a love affair between the petitioner and her and that it was with her consent that they were in a physical relationship. She has further stated that from the said relationship, they have a daughter, who was born on 15th August, 2021. She has further stated that she could not get married to the petitioner since she was underage i.e., around 17 years. She has further stated that she and the petitioner are living together as husband and wife and that she would now be getting married to the petitioner.

4. When questioned, the respondent No. 6 states that she is presently undergoing training in Computer in a Government Institute. She further states that the petitioner is working as a driver and is earning his livelihood.

5. Keeping in mind the judgment of the Apex Court in ***In Re: Right to Privacy of Adolescents*** with ***Sou Motu Writ Petition (C) No. 3 of 2023*** reported in ***2025 SCC OnLine SC 1200***, ***Writ Petition (C) No. 3 of 2023***, the State is under an obligation to take care of the victim girl and the child born from the said relationship. Learned Additional Senior Government Advocate seeks time to find out what are the schemes available under the POCSO Act for such victims and the child born from the said relationship i.e., where the girl is below the age of 18 years. On his request, stand over to **19th March, 2026**.

6. In the meantime, since the petitioner and the respondent Nos. 5 (original complainant) and 6 (victim) are present in Court and have come from West Garo Hills District, this Court directs all the parties to appear before the Secretary, High Court Legal Services Committee, to enable the Secretary, to submit a report to this Court whether the consent given by the respondent No. 6 (victim) is an 'informed consent'; whether the respondent No. 5 (original complainant) has also given her consent to the quashing of the proceeding pending before this Court; are there

any conditions attached to the 'no objection' given by the respondent Nos. 5 and 6; whether the parties are likely to get married as contended by the petitioner and the respondent Nos. 5 and 6; whether the respondent No. 6 has the necessary means and capacity to take care of herself and the child; and are there any Government schemes that have been made available to her? A report to that effect be submitted to this Court on the next date, after interacting with the parties.

(Revati Mohite Dere)
Chief Justice

Meghalaya
05.03.2026
"Sylvana PS"