

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.A No. 18 of 2021

Date of order: 08.12.2022

Gaisinglung Meiringmei vs National Investigation Agency (NIA)

Coram:

Hon'ble Mr. Justice Sanjib Banerjee, Chief Justice

Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Appellant : Mr S. Thapa, Adv. with
Mr D. Thamei, Adv.

For the Respondent : Dr N. Mozika, ASG with
Ms A Pradhan, Adv.
Mr K. Ch. Gautam, Adv.

This matter has come up from time to time and has been adjourned since the trial is progressing in right earnest.

However, the appellant has now been in custody for nearly five years and it is unlikely that the trial would be completed within the next year. There is no doubt that serious charges have been brought against the appellant including under the Unlawful Activities (Prevention) Act, 1967, but it is not acceptable that the appellant be detained for such a long period of time even before he is convicted. At any rate, there is always a possibility of the appellant being acquitted and no amount of compensation can return the years that the appellant has lost while in detention.

The Union submits that the number of witnesses have been pruned down and 28 of about 70 witnesses have already been examined, including most of the protected witnesses. The Union assesses that the rest of the witnesses should be examined within the next six months.

The appellant claims that the initial ground for resisting the prayer for bail was that there were protected witnesses who would be vulnerable if the appellant was released on bail. The appellant says that it is now the Union's case that the appellant may slip away to a neighbouring country.

The matter will appear four months hence. Unless the evidence is completed by then, the appellant is likely to be enlarged on bail, subject to any stringent conditions that the Union may suggest. It must be recorded that there are sophisticated and secure tracking devices now available that the Union should look at.

List on April 11, 2023.

(W. Diengdoh)
Judge

(Sanjib Banerjee)
Chief Justice

Meghalaya
08.12.2022
"Sylvana PS"