

10.01.2024

**Present:**

Mr. Justice Mamnoon Rahman

Mr. Md. Mahadi Hassan, Adv.

...For the petitioner-appellant.

Mr. Md. Emran Khan, Adv.

...For the complainant-respondent No. 2

Mr. Md. Taifoor Kabir, DAG with

Mr. Md. Lokman Hossain, AAG

Mr. Md. Hatem Ali, AAG

.....For the State.

The parties have filed joint application for compromise on the ground that they settled the matter amicably.

I have heard the learned Advocates for the parties and perused the application together with deed of compromise as evident in Annexure-X.

It appears that the instant revisional application was preferred by the convict-appellant-petitioner challenging the judgment and order of conviction and sentence passed by the trial court and subsequently affirmed by the appellate court in a proceeding relates to Section 138 of the Negotiable Instruments Act, 1881.

It further appears that both the parties intend to amicable settlement the matter and executed a deed of compromise as evident in Annexure-X of the application. Since the parties agreed to settle the matter amicably, I am inclined to allow the application.

Accordingly, the instant application is allowed and the rule be disposed of in terms of the application for compromise. The judgment and order of conviction

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and sentence dated 13.02.2008 passed by the court below is hereby set aside.

Since the appellant-petitioner paid the entire due amount, the appellant-petitioner is at liberty to withdraw the money as deposited earlier in the trial court forthwith.

Send down the L.C. Records, if any, to the concerned court below with a copy of this order at once.

(Mamnoon Rahman,J:)