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বাংলাদেশ সুপ্রীমকোর্ট
হাইকোর্ট বিভাগ

আপীল সম্পর্কিত
ফৌজদারী

জেলা-Chuadanga

ফৌজদারী কার্যবিধি আইনের ধারার অধীনের রিভিশন
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Md. Ruhul Amin

আবেদনকারী

মাধ্যম Mr. Abdul Awal, Advocate

বনাম

The State and another

প্রতিপক্ষ

Mr. A. Monnan (Manna), A.A.G

প্রথম আদালত

ম্যাজিস্ট্রেট,

তারিখ

২০

শান্তি ও দন্ডাদেশ

Present:

Mr. Justice Md. Shohrowardi

আপীল আদালত

তারিখ

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কাগজপত্র বা আদে- শের ক্রমিক নং	তারিখ	নোট এবং আদেশ	স্বাক্ষর
	<u>04.03.2024</u>	<p>Heard the learned Advocate Mr. Abdul Awal who appeared on behalf of the convict-petitioner and the learned Assistant Attorney General Mr. A. Monnan (Manna) who appeared on behalf of the State.</p> <p>The delay of 307 days in filing criminal revision is condoned.</p> <p>Records be called for.</p> <p>Let a Rule be issued calling upon the opposite parties to show cause as to why the judgment and order of conviction and sentence dated 26.02.2023 passed in Criminal Appeal No. 10 of 2022 by the Session Judge, Chuadanga by dismissing the petition of appeal and upholding the judgment and order dated 30.11.2021 passed by the Joint Sessions Judge, Second Court, Chuadanga in Sessions Case No. 607 of 2019 arising out of C.R No. 291 of 2019 (Chuadanga Sadar) by convicting the petitioner under Section 138 of the Negotiable Instrument Act, 1881 and sentencing him to suffer simple imprisonment for 04(four) months and also pay a fine of Tk. 2,00,000 mentioned in the dishonored cheque in absentia of the petitioner should not be set aside and/or such other or further order or orders passed as to this Court may seem fit and proper.</p> <p>The Rule is made returnable within 4(four) weeks from date.</p> <p>Pending hearing of the Rule realization of fine be stayed.</p>	

Learned Advocate Mr. Abdul Awal appearing on behalf of the convict-petitioner submits that both the parties settle the matter out of Court and the convict-petitioner has no objection if the Court allow the complainant-opposite party to withdraw the 50% of the cheque amount deposited by the convict-petitioner before filing the appeal.

Pending hearing of the Rule, let the convict-petitioner **Md. Ruhul Amin, son of late Chader Ali Mondol** be enlarged on bail for 6(six) months from the date on furnishing bail bond to the satisfaction of the Session Judge, Chuadanga.

The trial Court below is directed to allow the complainant opposite party to withdraw the 50% of the cheque amount deposited by the convict-petitioner before filing the appeal forthwith.

The office is directed to serve the notices upon the opposite parties by usual course as well as registered post with acknowledgment receipt.

The convict-petitioner is directed to put in the requisites forthwith.