

06.02.2024

**Present:**

Mr. Justice Mamnoon Rahman

Mr. Enamul Haq Sardar, Adv.

...For the petitioner-appellant.

Mr. Muktar Hossain, Adv.

...For the complainant-opposite party 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 petitioner-appellant as well as complainant-opposite party No. 2 and perused the application together with the Deed of Agreement as evident in Annexure-X.

It appears that the instant revision 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 agreement as evident in Annexure-X of the application for compromise. 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 06.11.2019 passed by the court below is hereby set aside.

The balance amount will be withdrawn as per Clause No. 2 of the deed of agreement.

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

(Mamnoon Rahman,J:)