

**IN THE SUPREME COURT OF BANGLADESH  
HIGH COURT DIVISION  
(CRIMINAL REVISIONAL JURISDICTION)**

**Present:**

**Mr. Justice Md. Bashir Ullah**

**Criminal Revision No. 4794 of 2024**

**In the matter of:**

An application under section 439 read with  
435 of the Code of Criminal Procedure

**-And-**

**In the matter of:**

Jahid Mahmud

... Convict-Petitioner

**-Versus-**

The State and another

...Complainant- Opposite Parties

Mr. Md. Ashiqur Rahman, Advocate

... For the Convict- Petitioner

Mr. Md. Faruk Hossen with

Mr. Md. Golam Azom, Advocates

... For the Complainant-opposite party No. 2

Mr. S.M. Aminul Islam Sanu, D.A.G with

Mr. Md. Nasimul Hasan, A.A.G with

Mr. Md. Golamun Nabi, A.A.G and

Ms. Farhana Abedin, A.A.G

... For the State

**Heard on: 26.01.2026**

**Judgment delivered on: 09.03.2026**

This Rule was issued at the instance of the petitioner  
calling upon the opposite party to show cause as to why the  
judgment and order of conviction and sentence dated

10.03.2024 passed by the learned Additional Sessions Judge, 3<sup>rd</sup> Court, Narayanganj in Criminal Appeal No. 435 of 2022 allowing the appeal and convicting and sentencing the petitioner to suffer rigorous imprisonment for a period of 01 (one) year 06 (six) months and also to pay fine of Taka 10,000/-, setting aside the judgment and order dated 22.09.2022 passed by the learned Judicial Magistrate, Narayanganj in T.R. No. 141 of 2021 arising out of C.R. Case No. 705 of 2020 acquitting the accused should not be set aside and/or such other or further order or orders be passed as to this court may seem fit and proper.

Facts relevant for disposal of the Rule, in brief, are that, the marriage between the complainant and accused no. 1 was solemnized on 01.11.2019. At the time of the marriage, the father of the complainant allegedly gifted huge ornaments, electrical equipments and other articles to the accused. After the marriage, the husband of the complainant sold the gold ornaments. After about 5/6 months of the marriage, accused no. 1 demanded Taka 2,00,000/- from the complainant and the said demand was met by the complainant. Subsequently, the accused again demanded Taka 5,00,000/- as dowry. Upon

refusal to meet the said demand the accused tortured the complainant mentally and physically. On 10.09.2020 the accused sent her to the maternal house of her when she refused to pay the dowry. Accused No. 1 went to the house of the complainant on 10.10.2020 and again demanded the dowry amounting to Taka 5,00,000/- and threatened the complainant that if the complainant failed to pay the dowry he would not continue the conjugal relationship. Hence, the complainant filed C.R. Case No. 705 of 2020 before the Chief Judicial Magistrate, Kha Area, Narayanganj.

The accused filed application for discharge under section 241A of the Code of criminal Procedure. Upon hearing, the Court discharged accused nos. 2 and 3 from the charges brought against them and framed charge against accused no. 1 (husband), under Section 3 of the Dowry Prohibition Act, 2018. The accused pleaded not guilty and claimed to be tried while the charge was read out and explained to him on 10.10.2021.

In course of trial 03 (three) prosecution witnesses were examined. After taking evidence, the accused was examined

under Section 342 of the Code of Criminal Procedure wherein the accused again pleaded not guilty.

Upon hearing, the learned Judicial Magistrate, Narayanganj acquitted the accused from the charge leveled under Section 3 of the Dowry Prohibition Act, 2018 by judgment and order dated 22.09.2022.

Being aggrieved by the judgment and order of acquittal the complainant filed Criminal appeal No. 435 of 2022 before the learned Sessions Judge, Narayanganj. On transfer, the learned Additional Sessions Judge, 3<sup>rd</sup> Court, Narayanganj heard the appeal and allowed the same setting aside the judgment and order dated 22.09.2022 passed in C.R. Case No. 705 of 2020 and thereby convicted the accused under section 3 of the Dowry Prohibition Act, 2018 and sentenced him rigorous imprisonment for 01 (one) year and 06 (six) months with fine of Taka 10,000/-, in default 03 (three) months rigorous imprisonment by judgment and order dated 10.03.2024.

Being aggrieved by and dissatisfied with the judgment and order of conviction dated 10.03.2024, the convict-petitioner preferred this instant Criminal revision and

obtained Rule. The petitioner was enlarged on bail by this Court for 06 (six) months on 12.08.2024.

Mr. Md. Ashiqur Rahman, the learned Advocate appearing for the convict-petitioner by filing an application for compromise between the petitioner and opposite party submits that in the meantime, the petitioner and opposite party have amicably settled the dispute and complainant has received an amount of Taka 6,00,000/- from the petitioner towards dower and maintenance.

He further submits that since the matter has been amicably settled between the parties and the complainant has no further claim or grievance against the petitioner in respect of her maintenance and other dues continuation of the proceeding would serve no useful purpose.

He next submits that the complainant-opposite party no. 2 has no objection if the petitioner is acquitted of the charge leveled against him.

*Per contra*, Mr. Md. Faruk Hossain along with Mr. Md. Golam Azom, the learned Advocates appearing for the complainant-opposite party no. 2 have endorsed the said

submissions. They submit that the complainant-opposite party no. 2 has received Taka 6 lac from the petitioner towards dower and maintenance and she has no objection if the petitioner is acquitted of the charge leveled against him.

In this regard both the parties (petitioner and opposite party no. 2) appeared before this Court and admitted that they have voluntarily executed the deed of compromise (Annexure-X) appended to the application for compromise.

Considering the submissions advanced by the learned advocates of both sides and also considering the facts and circumstances of the case as well as the deed of compromise dated 08.02.2026, this Court is inclined to accept the said deed of compromise and to make the Rule absolute.

Accordingly, the Rule is made absolute. The accused-petitioner is acquitted of the charge leveled against him.

The convict-petitioner is released from the bail bond.

Send down the lower Court's records (LCR) at once.  
Communicate this judgment and order to the Court concerned  
forthwith.

(Justice Md. Bashir Ullah)

Md. Ariful Islam Khan  
Bench Officer