

Present
Mr. Justice Sheikh Abdul Awal
Criminal Revision No. 825 of 2011

Wadudun Nabi

.....Convict-petitioner.

-Versus-

The State

.....Opposite party.

No one appears.

.....For the convict-petitioner.

Ms. Shahida Khatoon, D.A.G with
Ms. Sabina Perven, A.A.G with
Ms. Kohenoor Akter, A.A.G.

.....For the opposite party

Judgment on 01.02.2024.

Sheikh Abdul Awal, J:

This Rule was issued calling upon the opposite party to show cause as to why the impugned judgment and order dated 13.06.2011 passed by the learned Metropolitan Sessions Judge, Dhaka in Criminal Appeal No. 501 of 2011 affirming the judgment and order of conviction and sentence dated 02.02.2000 passed by the learned Metropolitan Magistrate, Dhaka arising out of G.R. No. 1738 of 1998 corresponding to Dhanmondi Police Station Case No. 63(5)98 convicting the accused petitioner under section 420 of the Penal Code and sentencing him thereunder to suffer rigorous imprisonment for a period of 02(two) years and to

pay a fine of Tk. 10,000/-(ten thousand) in default to suffer 3(three) months more should not be set-aside and/or such other or further order or orders passed as to this Court may seem fit and proper.

No one appears.

In view of the fact that this petty old criminal Revision arising out of 02(two) years sentence has been dragging before this Court for more than 12 years, I am inclined to dispose of the same.

At the time of pronouncement of judgment, it appears from the record that this Court on 11.07.2011 at the time of issuance of the Rule granted bail to the convict petitioner for a period of 03(three) months, which was lastly extended on 16.01.2014 for a period of 06(six) months and thereafter, no one took any steps to extend the order of bail as a result of which the said bail was expired long before on 16.07.2014. In that view of the matter, I have no hesitation to hold that the convict petitioner is a fugitive from law and justice.

In the case of Anti-Corruption Commission Vs. Dr. HBM Iqbal Alamgir, reported in 15BLC where it has been observed by the Appellate Division that Court would not act in aid of an accused person who is a fugitive from law and justice.

In view of the above, this Rule must fail.

In the result, the Rule is discharged. The convict-petitioner, Wadudun Nabi is directed to surrender his bail bond within 3 (three) months from today to suffer his sentence, failing which the Trial Court below shall take necessary steps to secure arrest against the convict petitioner.

Send down the lower Court records at once.