

Present:

Mr. Justice Md. Shohrwardi

Criminal Rule No. 5311 (Con) of 2023

Md. Jahidul Islam

.....Convict-petitioner.

-Versus-

The State

... Respondents.

Mr. Mohammed Rahamat Ullah, Advocate

..... For the convict petitioner.

Mr. S.M. Golam Mostofa Tara, D.A.G

..... For the State.

Heard and Judgment on 21.03.2024.

This Rule was issued calling upon the opposite party to show cause as to why the delay of 117 days in filing the revisional application against the judgment and order dated 11.06.2023 passed by Sessions Judge, Narayangonj in Criminal Appeal No. 79 of 2023 arising out of Sonargaon Police Station Case No. 57 dated 18.03.2018 corresponding G.R. No. 217 of 2018 should not be condoned and/or pass such other order or further order or orders as to this Court may seem fit and proper.

The learned Advocate Mr. Mohammad Rahamat Ullah appearing on behalf of the convict petitioner having placed the application for condonation of delay submits that due to miscommunication between the learned Advocate and the convict petitioner, he was not aware about the judgment and order passed by the appellate court below for which he could not surrender before the court below in time to take step against the impugned judgment and order passed by the courts below.

Heard the learned Advocate Mr. Mohammad Rahamat Ullah who appeared on behalf of the convict-petitioner and the learned Deputy Attorney General Mr. S.M. Golam Mostofa Tara who opposes the Rule, perused the application for condonation of delay and the records.

The convict-petitioner had given a reasonable explanation in para 5 of the application for condonation of delay of 117 days in filing the revision.

I find merits in the Rule.

In the result, The Rule is made absolute.

The delay of 117 days in filing criminal revision is hereby condoned.

The Office is directed to do needful.

A.B.O