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ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA
Crl. Transfer Appln. No.37 of 2016.
DATE OF HEARING ORDER WITH SIGNATURE OF HON'BLE JUDGE

1. For orders on office objection as Flag 'A'.
2. For Katcha Peshi.

07.11.2016.

Mr. Faiz Muhammad Larik, advocate for the applicant.

Mr. Khadim Hussain Khooharo, A.P.G.

Through instant Crl. Transfer Application, the applicant/complainant seeks withdrawal of Sessions Case arisen out of FIR No.29 of 2009 registered at Police Station Mahota under section 302, 148, 149, 120-B, 337-H(2), PPC from the file of learned VI-Additional Sessions Judge, Larkana, to any other District preferably Kamber – Shahdadkot.

Learned counsel for the applicant submits that the applicant as well as his witnesses apprehend danger to their lives in appearing before the trial Court in Larkana, because the accused ^{are} influential persons of Larkana town and its surrounding areas and they are extending threats for dire consequences to the complainant and his witnesses.

Learned A.P.G opposing this application, submits that no cogent ground has been agitated by the applicant for transfer of the subject case.

It is an admitted position that all the nominated accused except respondent No.2, have already been acquitted and the respondent No.2, is confined in Central Prison Larkana. The applicant has not moved any application before the trial Court complaining with regard to the threats, allegedly issued by the respondents/accused. Even otherwise no material has been placed on record and specific allegation mentioning the date, time and place of extending threats by the accused party to the applicant or his witnesses has been mentioned in the application, and simply apprehension of the applicant for danger to their lives, is no ground for transfer of a case. This transfer application, therefore, being devoid of merits is accordingly dismissed.


Judge