

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD

Criminal Transfer Application No.S-43 of 2019

DATE	ORDER WITH SIGNATURE OF JUDGE
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For hearing of main case.

04.10.2019.

Mr. Ali Ahmed Palh, Advocate for applicant.

Mr. Nazar Muhammad Memon, Addl.P.G.

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Applicant is complainant of Crime No.17/2018, registered at P.S Aamri, District Jamshoro u/s 302, 201 PPC, in which she has reported murder of her husband namely Muhammad Nazim, the trial of which is pending in the court of Additional Sessions Judge, Sehwan. By means of this application she is seeking transfer of the case from Additional Sessions Judge, Sehwan to any Additional Sessions Judge in District Jamshoro at Kotri on the ground that she is a widow and is resident of District Sanghar so also the accused and the witnesses of the case and it is difficult for her to attend the trial court on each and every date of hearing at Sehwan.

Learned Additional Prosecutor General Sindh has recorded no objection.

On the last date of hearing, notice to the respondents/accused, who are confined in Jail, was ordered to be sent through trial court. In response, the trial court viz. Additional Sessions Judge Sehwan has submitted a report verifying the fact that the notice has been served upon the respondents. However, no one is present on their behalf.

On the ground as taken in this application and no objection recorded by the learned Additional Prosecutor General Sindh coupled with the fact that the transfer of the case from Additional Sessions Judge, Sehwan to any Additional Sessions Judge in District Jamshoro at Kotri would not cause any prejudice to

any of the parties as transferee court is situated within the same district, this application is allowed and Sessions case bearing No.83/2019, is hereby ordered to be withdrawn from the file Additional Sessions Judge, Sehwan and transferred to the learned Sessions Court Jamshoro at Kotri with the direction to the learned Sessions Judge to either proceed with the case himself or assign it to any other court of competent jurisdiction for disposal in accordance with law.

Disposed of.

JUDGE

Ali Haider

