

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA
Criminal Transfer Application No. S-55 of 2024

DATE	ORDER WITH SIGNATURE OF JUDGE
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- 1. For orders on office objections at flag "A".
- 2. For hearing of main case.

21.07.2025

Mr. Naveed Ahmed Narejo, Advocate for the Applicants.

Mr. Muhammad Afzal Jagirani, Advocate for the Respondent No.2.

Mr. Nazir Ahmed Bhangwar, Deputy Prosecutor General, Sindh.

KHALID HUSSAIN SHAHANI J:- This Criminal Transfer Application has been preferred by the applicants seeking transfer of Criminal Case No.240 of 2024 titled *The State v. Abdul Sattar and others*, emanating out of F.I.R. No.07 of 2024 registered at Police Station RD-109, District Kashmore-Kandhkot, for offences punishable under Sections 337-A(ii), 504, 506/2, 148, 149, and 34 P.P.C., which is currently pending trial before the Court of learned Judicial Magistrate-II, Kashmore-Kandhkot. The primary ground agitated in the application is the applicants’ apprehension of threat to their lives in pursuing the said criminal proceedings within District Kashmore-Kandhkot.

- 2. Learned counsel for the applicants has reiterated the contentions set forth in the memo of transfer application and submitted that owing to prevailing hostile circumstances, the applicants cannot safely participate in the proceedings at the said venue.
- 3. Perusal of record reveals that the applicants had previously approached the Principal Seat of this Court at Karachi seeking pre-arrest bail under exceptional circumstances, bypassing the forum of learned Sessions Judge, Kashmore-Kandhkot, which was granted vide

order dated 11.06.2024, subject to their joining the investigation and/or trial proceedings.

4. During the course of arguments, learned counsel for Respondent No.2 initially opposed the transfer request. However, when confronted with the terms of the aforementioned bail order, wherein the applicants were directed to associate themselves with the investigation or trial, he, in all fairness, did not object to the transfer of the case outside District Kashmore-Kandhkot. He further submitted that although the complainant is a resident of Tando Allahyar, he possesses agricultural land in District Kashmore-Kandhkot and frequently visits the area where the incident allegedly occurred.

5. In view of the peculiar circumstances of the case and in order to ensure the safety of the applicants and fair administration of justice, and considering the no-objection extended by learned counsel for the complainant, this Court deems it appropriate to accede to the request.

6. Accordingly, by consent of parties and in the interest of justice, Criminal Case No.240 of 2024 arising from F.I.R. No.07 of 2024 registered at P.S. RD-109, District Kashmore-Kandhkot, is hereby withdrawn from the file of the learned Judicial Magistrate-II, Kashmore-Kandhkot, and transferred to the learned Sessions Judge, Dadu, with direction to entrust the case to a Court of competent jurisdiction for its expeditious disposal in accordance with law.

7. This Criminal Transfer Application stands disposed of in the above terms.

J U D G E

Asghar Altaf/P.A