



has appeared in the Court of Special Judge (Central) II Karachi. Thus the alleged offence has yet to be proved by the prosecution agency and it was only a matter of jurisdiction assumed by a particular court on the basis of challan submitted to it.

3. In view of the above and by consent of both the counsel, case **No.44/2002** pending before Special Judge (Central) II Karachi stand transferred to the Court of District & Sessions Judge (East) Karachi. The jurisdiction of District & Sessions Judge (East) Karachi appears to be agreed by both the counsel on the ground that initially FIR of the theft / snatching of a car was registered with Aziz Bhatti police station and all the proceedings which so far initiated on the basis of FIR No.15 of 2002 had its origin in the said earlier FIR. The offences under Section 467 and 471 PPC are exclusively triable by Session Court and offence under Section 409 and 420 can also be tried by Session Judge. The District & Sessions Judge (East) Karachi may proceed further from the stage from where it was pending in the Court of Special Judge (Central)-II Karachi. The case may be disposed of preferably within six months from the date of receiving documents from the court of Special Judge (Central) II Karachi. Parties are free to take any legal plea which they wish before the District & Sessions Judge (East) Karachi.

With the above observation this Cr. Misc. Application is disposed of.

JUDGE