DATE	ORDER WITH SIGNATURE OF JUDGE

1. For orders on office objection.
2. For hearing of main case.
3. For hearing of M.A- 6571 of 2020 (Stay application).

11.01.2021

Mr. Shawak Rathore, D.P.G.

Mr. Badal Gahoti, Advocate for private respondents.
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Mian Taj Muhammad Keerio Advocate files Vakalatnama on behalf of the applicant, taken on record.

2.   Through instant transfer application, applicant seeks transfer of Sessions Case No.26 of 2020 offshoot of Crime No.32 of 2019 of P.S Khebrani from the trial Court to any other Court having jurisdiction on the ground that they are being constantly threatened of dire consequences by accused party, hence they cannot step / enter the District Matiari, therefore, unable to proceed with their aforementioned case.

3.   Heard arguments and perused the record.

4.   Pursuant to order dated 19.10.2020, learned trial Court / Additional Sessions Judge-I / Model Criminal Trial Court, Matiari has submitted its comments, which are available on record. Para-2 of said comments reveals as under:-

> "It is further submitted that complainant Mst. Zahida has also filed Direct Complaint No.07/2020 u/s 200 Cr.P.C. for offence u/s 302, 34 PPC against the accused namely Ghulam Qadir @ Bhooro, Ghulam Muhammad, Nawabi and Kainat with regard to same incident as alleged as alleged in the present case, however, the same was sent up to learned Magistrate for conducting preliminary enquiry but the learned Magistrate returned back the R&Ps with the report that complainant did not produce her witnesses and said Direct Complaint is also pending before this Court for arguments."

5.   Perusal of the comments filed by learned trial Court, especially, referred para-2 of it, clearly shows the will of applicant. During   course   of   arguments learned counsel for applicant has failed to put forward any cogent ground for transferring the said sessions case. Accordingly, the instant criminal transfer application being not tenable is hereby dismissed alongwith listed application.

JUDGE

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