

**IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA**

Cr: Transfer Appln: No: 5-31 of 2022

Sikandar Ali S/o Lal Bux by caste Khoso  
Muslim, Adult, R/o Village Qaim Khoso  
Taluka Mehar District Dadu.

Presented on  
26 APR 2022  
Addl. Registrar

.....Applicant/Complainant

**Versus**

- 1- Nadir Ali S/o Shahnawaz  
R/o Own Houses near Khairo Bhatti  
Now Degree College Mehar
  - 2- Babar Ali S/o Koro by caste Khoso  
R/o Saqib Colony Mehar District Dadu
  - 3- Koro S/o Khan Muhammad  
R/o Saqib Colony Mehar District Dadu
  - 4- Akhtiar S/o Koro.
  - 5- Shahnawaz s/o Khan Muhammad
  - 6- Javed S/o Ali Dost
  - 7- Rafique S/o Bilawal all by caste Khoso  
All R/o Khairo Bhatti now Saqib Colony Mehar  
District Dadu.
  - 8- The State
- .....Respondents/accused

F.I.R No: 266 of 2020  
Police Station Mehar  
Offence U/Ss: 302, 147, 148, 109,  
504 P.P.C.

**APPLICATION UNDER SECTION 526 Cr.P.C**

It is prayed on behalf of the applicant/complainant above named that this Honourable Court may graciously be pleased to withdraw the file of Sessions case No: 63/2021 Re state versus Koro Khoso and others from the 1<sup>st</sup> Additional Sessions Judge Mehar, and to transfer the same in any other Court of Law having jurisdiction at Dadu, on the consideration of following facts and grounds.

**FACTS**

The facts of the case are that, on 30/11/2020 complainant Sikandar S/o Lal Bux by caste Khoso, R/o Village Qaim Khoso Taluka Mehar lodged FIR alleging there in that, I am residing at the above mentioned address, as Kuriro and Shahnawaz both sons of Khan Muhammad Khoso were annoyed, who had lodged the FIR bearing



**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA**

Cr. Transfer Application No.S- 31 Of 2022.

Date of hearing	Order with signature of Judge
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1. For orders on office objection at flag A.
2. For hearing of main case.

**04.07.2022.**

Mr. Abdul Sattar Janweri, advocate for the applicant.  
Mr. Safdar Ali Bhutto, advocate for the respondents No.7  
Mr. Jawed Ali Soomro, advocate for the respondents.1,2,3,5 &6.  
Mr. Ali Anwar Kandhro, Additional Prosecutor General, Sindh  
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This criminal transfer application moved by the applicant/complainant Sikandar Ali in Crime No.266/2020 of Police Station Mehar, registered for offence under section 302, 147, 148, 109, 504 PPC pending trial before the court of Sessions Judge, Dadu, whereby his criminal transfer application No.08 of 2021 has been dismissed vide order dated 24.2.2021, in the following premise:-

"All the seven accused nominated in FIR are residents of Mehar taluka. Complainant, so also his witnesses are also residing at Mehar. All the official witnesses including two Medical Officers are also posted at Mehar. The trial court at Mehar where case under discussion is pending is at the distance of about 70 K.Ms from Dadu, where from applicant/complainant intends to get transfer his case. If case in hand is to be transferred from Mehar to Dadu, definitely not only accused, but the witnesses particularly official witnesses will suffer while coming at Dadu Court by travelling huge distance of about 70 K.Ms from the place of their posting at Mehar. Sessions Case under discussion, is fresh one, which was challaned in current month of February, 2021 and it has come at the stage of framing of charge, thereafter it will go for evidence. I am not impressed with ground of transfer application that complainant apprehends endanger to his life while proceedings case at Mehar Court. Because complainant and witnesses will more secure at Mehar, rather coming here at Dadu by traveling about 70 K.Ms on each and every date of hearing, particularly when complainant, who appears to be aged and disable person. Complainant can seek his protection from trial court, while proceedings his case.

After arguing the matter at some length both parties consented for disposal of the instant transfer application in the terms that appropriate directions may be issued to learned trial court to take decision of the present case within a reasonable time. The proposal seems to be fair enough, thus accorded to, however; the learned trial court is directed to expedite the matter and take decision in accordance with law after recording evidence of the parties preferably within three months.

Cr. Transfer application stands disposed of in the above terms.

**JUDGE**