

ORDER SHEET
IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR
Crl. Transfer A. No.S- 48 of 2021

Date of hearing	Order with signature of Judge.
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Hearing of Case

For hearing of main case.

15-10-2021

Mr. Achar Khan Gabol Advocate for Applicant.
Mr. Muhammad Qayyum Arain Advocate for Respondents.
Mr. Aftab Ahmed Shar, Additional P.G for the State.

Through this Crl. Transfer Application, the Applicant seeks transfer of Sessions case No.336 of 2021 presently pending before the Court of Additional Sessions Judge, Moro to the Court of Additional Sessions Judge at Naushehro Feroze.

Counsel for the Applicant submits that FIR No.99 of 2021 was registered under Section 365-B PPC at P.S, Naushehro Feroze and through some administrative and procedural order, case was transferred to the Court of Additional Sessions Judge, Moro, whereas, the application filed by the Applicant stood dismissed vide order dated 05.07.2021 by learned Sessions Judge, Naushehro Feroze. He submits that the parties are also of Naushehro Feroze, therefore, present application be allowed.

On the other hand, learned Counsel for the Respondents/Accused has opposed this Transfer Application and submits that no justifiable ground is made out.

Learned Additional P.G submits that since case was registered at P.S, Naushehro Feroze, therefore, Applicant's case merits consideration.

Heard both the learned Counsel for the parties as well as learned APG and perused the record. Since the FIR was registered at P.S, Naushehro Feroze, where the Court of Additional Sessions Judge is available, therefore, no justifiable ground is made out to refuse the Criminal Transfer Application, as apparently earlier transfer was on administrative basis by learned Sessions Judge, who may have overlooked this fact; therefore, this Crl. Transfer Application is allowed. Sessions Case No.336 of 2021 stands transferred from the Court of Additional Sessions Judge, Moro to any Court of Additional Sessions Judge at Naushehro Feroze.

This Crl. Transfer Application sands disposed of in the above terms.

JUDGE

Ahmad