

ORDER SHEET
IN THE HIGH COURT OF SINDH,
Bench at Sukkur

Crl. Transfer Application No. S- 77 of 2022

Date of hearing	Order with signature of Judge
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Fresh Case

1. For orders on office objection
2. For hearing of Main Case.

18-11-2022

Mr. Achar Khan Gabol, Advocate for the Applicant/Complainant.

By means of this Crl. Transfer Application, the applicant / complainant Sheeraz Ali Kalhoro has impugned order dated 05.10.2022, whereby learned Sessions Judge, Naushero Feroze dismissed Crl. Transfer Application No.19 of 2022, filed by the applicant seeking transfer ABA No.200 of 2022, arising out of CrimeNo.10 of 2022, registered at P.S, Pipri-Naushehro Feroze, from the Court of learned Additional Sessions Judge, Kandiaro to any other Court having jurisdiction.

2. It is contended by learned counsel for the applicant that the applicant being complainant of aforementioned FIR/crime filed Crl. Transfer Application No.19 of 2022, which was dismissed by learned Sessions Judge, Naushehro Feroze *vide* impugned order without assigning any cogent reason and applying his judicious mind. It is further contended by him that the applicant apprehends that he would not get justice from the Presiding Officer of the Court concerned as the accused persons/private respondents distributed sweets in their village by proclaiming that they have met with the Presiding Officer of the Court concerned and their interim pre-arrest bail would be confirmed.

3. After hearing learned counsel for the applicant/complainant and perusing the impugned order, I am also of the opinion that the

apprehension of the applicant that he would not get justice from the Presiding Officer of the Court concerned is based on so-called proclamation of the accused persons. No date, time and names of the witnesses have been mentioned in the application, when such proclamation was made by the accused persons in their village. Even if the interim pre-arrest bail of the accused/private respondents is confirmed, the applicant/complainant will have an opportunity to challenge the same appropriately, if he feels himself so aggrieved by such order.

4. Accordingly, this Crl. Transfer Application being devoid of any merit stands **dismissed** in *limine*.

J U D G E

Ahmad