

Order Sheet

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Cr. Transfer App. No. S - 10 of 2023

Date of hearing	Order with signature of Judge
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Fresh case

1. For orders on MA No.709/2023 (U/ A)
2. For orders on office objection at Flag-A
3. For hearing of main case

06.02.2023

Mr. Ajeebullah Junejo, Advocate for applicant.

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1. Urgency application is granted.

2 & 3. Through instant Criminal Transfer Application, applicant/accused Khadim Hussain son of Ghulam Muhammad seeks transfer of Criminal Case No.03 of 2023 (*Re: State v. Khadim Hussain*) from the Court of learned Ist Judicial Magistrate, Mirpur Mathelo to any other Court having jurisdiction at Taluka Rohri or District Sukkur on the ground that he is residing near Kandhra, Taluka Rohri and the trial Court is far away from Taluka Rohri, District Sukkur; hence, he being a poor person cannot afford the travelling expenses to attend the trial Court.

It is an admitted position that the alleged crime has been registered vide F.I.R. No.312 of 2022 under Section 489-F, P.P.C. at Police Station 'A' Section, District Ghotki and the distance between Rohri and the trial Court is hardly 90 kilometers. Moreover, cheap conveyance facility by way of buses and coasters is available from Rohri to Mirpur Mathelo and Mirpur Mathelo to Rohri via National Highway; hence, the ground raised by the applicant for transfer of the aforementioned case from the trial Court is not a cogent ground.

Therefore, instant Criminal Transfer Application is **dismissed in limine.**

JUDGE