

Order Sheet

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

C. P. No. D - 149 of 2023

Date of hearing	Order with signature of Judge
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Fresh case

1. For orders on CMA No.691/2023 (U/A)
2. For orders on CMA No.692/2023 (Ex./A)
3. For hearing of main case

08.02.2023

Mr. Altaf Hussain Hisbani, Advocate for the petitioner.

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1. Urgency application is granted.

2 & 3. It is an admitted position that after conducting investigation, the police has submitted challan on 16.09.2022 before the Court of concerned Judicial Magistrate in Crime No.32 of 2022 under Sections 402, 324, 353, 399, 148, 149, P.P.C, registered at Police Station Tamachani, District Sukkur.

At this belated stage, order for transfer of investigation would not be sustainable in the eyes of law, in view of the dictum laid down by the Hon'ble Supreme Court in the case of Qari Muhammad Rafique v. Additional Inspector-General of Police (Inv.), Punjab and others (2014 SCMR 1499); hence, the instant petition being not maintainable is **dismissed** accordingly along with listed application.

JUDGE

JUDGE

Abdul Basit