

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR**

Crl. Transfer Application No. S- 14 of 2023

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

- 1.For orders on office objections.
- 2.For hearing of main case

**26-05-2023**

Mr. Kashif Hussain Shaikh, Advocate for private respondents.  
Mr. Imran Mobeen Khan, Assistant P.G.

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Mr. Abdullah Rajput, Advocate files power on behalf of applicant,  
which is taken on record.

2. By means of this Crl. Transfer Application, applicant/  
complainant Abdul Waheed seeks transfer of Sessions Case No.570 of  
2022 (re: *The State-Versus-Shafi Muhammad & others*) arising out of  
Crime No.156 of 2022, registered at P.S, Kandiaro under Sections 395,  
447, 452, 295-A, 427, 337H(ii), 147, 148 & 149 PPC, from the Court of  
learned II-Additional Sessions Judge, Naushehro Feroze to the Court of  
learned I-Additional Sessions Judge, Naushehro Feroze on the ground  
that connected case under Crl. Direct Complaint No.55 of 2022 (re:  
*Abdul Waheed Pirzado v. Muhammad Alam Abro & others*) is pending  
adjudication before the Court of I-Additional Sessions Judge,  
Naushehro Feroze and the proprietary demands that both the cases  
should be heard and decided by one Court.

3. Learned counsel for the private respondents states that the  
Court of learned I-Additional Sessions Judge, Feroze is lying vacant,  
which fact is also confirmed by learned counsel for the applicant.

4. Record shows that Challan in the State case i.e. Sessions Case  
No.570 of 2022 was submitted by the prosecution on 13.08.2022 and  
thereafter applicant/complainant filed Crl. Direct Complaint bearing

No.55 of 2022 on 08.09.2022. Learned counsel for the applicant, however, states that he has no objection if the Crl. Direct Complaint No.55 of 2022 is withdrawn from the Court of I-Additional Sessions Judge (*vacant Court*) and transferred to the Court of II-Additional Sessions Judge, Naushehro Feroze, where Sessions Case, mentioned above, is already pending.

5. Learned counsel for the pirate respondents as well as learned Assistant P.G record their no objection to the proposition of learned counsel for the applicant.

6. Propriety demands that adjudication of both criminal cases being arising out of the same incident should be adjudicated by one Court and since cognizance in Sessions Case was taken earlier and Complaint Case was filed subsequently, and the Court of I-Additional Sessions Judge, Naushehro Feroze is lying vacant, Crl. Direct Complaint No.55 of 2020 is withdrawn from the Court of I-Additional sessions Judge and transferred to the Court of II-Additional Sessions Judge, Naushehro Feroze for disposal in accordance with law.

7. Instant Crl. Transfer Application stands **disposed of** in the above terms.

**JUDGE**