

ORDER SHEET  
**IN THE HIGH COURT OF SINDH BENCH AT SUKKUR**  
**Cr. Transfer App. No. S – 46 of 2023**

Date of hearing	Order with signature of Judge
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**Fresh case**

1. For orders on office objections at Flag-A
2. For orders on MA No.4782/2023
3. For hearing of main case

**27.11.2023**

Mr. Abdul Raheem Mahar, Advocate for applicant.

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**Muhammad Iqbal Kalhoro, J.** – Applicant, who is complainant in FIR bearing Crime No.34 of 2022, registered at Police Station Agra, District Khairpur under Sections 436, 452, 337-A(i), 337-L(2), 109, 148, 149 PPC, seeks transfer of Sessions Case No.09 of 2023 from the Court of learned Additional Sessions Judge-II, Khairpur on the ground that Presiding Officer is misbehaving with the complainant and pressurizing him to withdraw the case, and has allowed applications U/S 22-A & B CrPC against the complainant, as a result of which, FIRs has been registered against him.

2. I have heard applicant's Counsel, who further submits that Presiding Officer is entertaining accused party personally every then and now in his chamber, and is mixed with them. However, he has not been able to cite any tangible incident of such kind of episode or the fact that Presiding Officer is putting any pressure upon the complainant to withdraw the case or compromise with the accused. The decisions made by the Presiding Officer on applications U/S 22-A & B CrPC are amenable to this Court U/S 561-A CrPC, and such remedy is available to the applicant.

3. Therefore, merely passing of certain orders on 22-A & B CrPC applications against the complainant cannot be made a ground justifying transfer of the case. Hence, this transfer application is **dismissed in limine** along with listed application.

J U D G E