

ORDER SHEET

IN THE HIGH COURT OF SINDH CIRCUIT COURT, LARKANA.

Cr. Transfer Application No.S-14 of 2025.

DATE	ORDER WITH SIGNATURE OF HON’BLE JUDGE
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- 1. For orders on office objection “A”.
- 2. For hearing of main case.
- 3. For hearing of M.A No.1345/2025 (S/A).

12-03-2025

Mr. Mazhar Ali Mangan, advocate for the Applicant.
Mr. Nazir Ahmed Bhangwar, DPG for the State.

Khalid Hussain Shahani, J.- The present transfer application has been filed by the applicant Rashid Ali Sundrani, being one of the witnesses in a Sessions case No.138/2023, from the court of learned Additional Sessions Judge-V to another court having jurisdiction, primarily on the ground that accused of the case being police officials were causing harassment to implicate them in criminal cases and putting pressure to withdraw the complaint.

02. On notice, the respondents are present and deny all the assertions made in application.

03. During the course of arguments, learned counsel for the applicants reiterated the contentions as set forth in the transfer application.

04. Without delving into the merits of the controversy, it is pertinent to note that such a ground is not legally tenable unless the litigant can substantiate, through the record, that the learned trial judge has acted beyond the scope of jurisdiction with mala fide intent, has deliberately committed a procedural irregularity, or that specific prior instances or other compelling factors exist to justify such an

assertion. From perusal of contents of Transfer Application, the allegations have been leveled against the accused for putting pressure and causing undue harassment against the accused being police officials.

05. The comments called from the learned Presiding Officer are indicative of the fact that all the material witnesses have been examined and case is fixed for closing the side of complainant or further evidence, if any.

06. Since, case is about to conclude and evidence of material witnesses including applicant already recorded; therefore, application being devoid of merits stands dismissed.

07. However, the applicant has shown his concerns that accused of the case being police officials were causing harassment, whenever they appear in the trial court to pursue their case. Therefore, SSP Shikarpur is directed to provide legal protection to the applicant strictly in accordance with law under Sindh Witness Protection Act, 2013 and ensure compliance.

JUDGE