

ORDER SHEET
IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD
Cr. Trf. Appl. No. D- 81 of 2015

DATE	ORDER WITH SIGNATURE OF JUDGE
13.01.2016	

1. For Katcha Peshi
2. For Hearing of MA 8914/15

Mr. G.M Afaque, Advocate for Applicants
Syed Meeral Shah, D.P.G.

The applicant has filed this application for transfer of Special Case No. 59 of 2015 that is pending on the file of learned IIIrd Additional Sessions Judge, Hyderabad. This case is registered under Section 9(c) CNS Act and it appears from the available record that the prosecution witnesses have been examined by the learned Presiding Officer. The only ground in support of this application advanced by the learned counsel is that the Presiding Officer is interested in the outcome of the case and she is extending harsh attitude to the applicants. In addition to the above, it has also been urged that she also openly states in the court that she would convict the applicants. Learned counsel has placed reliance on the case reported in 2013 MLD 329 in support of his case.

Learned DPG on the other hand has opposed this application. He states that the Presiding Officer before whom the case is pending is known for her honesty and dedication.

We have heard the parties and gone through the material available on record.

The contention of learned counsel is not substantiated from the material available on record. In the comments filed by learned Presiding Officer, she has categorically denied these bald aspersions against her. It is hard to believe that the Presiding Officer who is known for her honesty and dedication would be having any extraneous interest in the outcome of the case that has been registered by the State, that the normal one.

In the circumstances we see no merit in this Transfer Application which is accordingly dismissed.

JUDGE

JUDGE

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