

IN THE HIGH COURT OF SINDH, KARACHI  
Cr. Revision Application No.126 of 2023

Present:  
Mr. Justice Muhammad Iqbal Kalhoro  
Mr. Justice Khalid Hussain Shahani

Applicant:- Mst. Bisma Naureen/Ameer Jahan in person.

Respondent:- The State through Ms. Rubina Qadir,  
Deputy Prosecutor General.

Date of hearing:- 31.03.2026

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**MUHAMMAD IQBAL KALHORO J:** We have heard applicant and learned DPG. Applicant has filed this revision application against an order dated 03.04.2023 whereby her application for transfer of the case from ATC to the Court of ordinary jurisdiction was dismissed on the ground that *prima facie* section 8 of ATA, 1997 i.e. Prohibition of acts intended or likely to stir up sectarian hatred, punishable under section 9, was attracted.

2. Allegations against the applicant are that she had uploaded videos on WhatsApp and Facebook declaring Shia sect people as Kafir. Her argument to seek transfer of the case is that she had done so in her defence and when an act is done in defence is not an offence.

3. However, we are of the view that the intention behind the applicant's act can only be ascertained after evidence is recorded and the trial Court comes to such a conclusion. *Prima facie* aforesaid section as opined by the trial Court, is applicable in the case. We therefore dismiss her application, however, direct the trial Court to proceed with the matter and conclude the same within a period of three months without being affected by the observations made in this order which are purely tentative in nature and only to determine whether the application seeking transfer of the case is justified or not.

The Cr. Revision Application is accordingly disposed of in above terms.

JUDGE

