

## **HIGH COURT OF SINDH, CIRCUIT COURT, MIRPURKHAS**

CrI. Transfer Application No.S-08 of 2026

*[Rano v. Halamsingh and others]*

Applicant by : Mr. Mir Muhammad Nohri, Advocate

Respondents No.1 to 15 by : Mr. Zaheer-ud-Din Junejo, Advocate

The State by : Mr.Neel Parkash, D.P.G

Date of hearing : **27.04.2026**

Date of decision : **27.04.2026**

### **ORDER**

**ARBAB ALI HAKRO, J.-** The applicant seeks transfer of Sessions Case No.111 of 2025, arising out of Crime No.86 of 2025 of Police Station Mithi, from the Court of learned Additional Sessions Judge-I, Tharparkar at Mithi, on the assertion that he has lost confidence in the Presiding Officer, who allegedly pressed him to compromise the matter and exhibited conduct suggestive of bias.

2. The record reflects that after framing of charge on 26.01.2026, the complainant appeared on 18.02.2026, but his private witnesses did not. Adjournments were sought on subsequent dates. The applicant alleges that the learned Presiding Officer insisted upon compromise, called him and some accused into the chamber without counsel and warned that failure to compromise would result in acquittal. The complainant then moved an application dated 26.03.2026 expressing loss of confidence.

3. Comments were obtained from the learned Presiding Officer, who categorically denied the allegations and stated that proceedings were conducted strictly in accordance with law and that no pressure was exerted upon the complainant.

4. Heard and perused the record. The allegations levelled by the applicant are serious in tone but wholly unsubstantiated. No order, remark, or proceeding of the trial Court has been pointed out which may reasonably

suggest bias, predisposition or any departure from judicial propriety. The charge framed is in accordance with the challan. The orders dated as mentioned do not reflect any irregularity or impropriety.

5. The jurisdiction under section 526, Cr.P.C., is extraordinary and is to be exercised sparingly. A party seeking transfer must demonstrate a real likelihood of prejudice, not a subjective apprehension. The presumption of judicial impartiality cannot be displaced by mere assertions. The applicant has produced no material, independent or contemporaneous, to substantiate the alleged chamber meeting or the alleged threat of acquittal. The application dated 26.03.2026 is only a unilateral statement and cannot, by itself, constitute proof of bias.

6. The trial has not progressed to any stage where judicial discretion has been exercised adversely to the complainant. No evidence has been recorded. No order on merits has been passed. The applicant's apprehension is speculative and insufficient to justify a transfer. Transfer cannot be granted at the mere desire of a party or on unverified allegations which, if accepted, would undermine the independence of subordinate Courts.

7. In these circumstances, I am not persuaded that the applicant has established any ground under section 526, Cr.P.C., warranting transfer of the case. The allegations are vague, uncorroborated and incapable of displacing the presumption of fairness.

8. Consequently, the Criminal Transfer Application is **dismissed**. The trial Court shall proceed with the matter strictly in accordance with law, uninfluenced by any observation contained herein.

**JUDGE**

“Saleem”