

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Criminal Transfer Application No.36 of 2026

Date

Order with Signature(s) of Judge(s)

- 1.For orders on office objection.
- 2.For hearing of case.
- 3.For hearing of M.A. No.6651/2026.

07.09.2026

Mr. Waseem Nabi Panhwar, Advocate for applicant.

Mr. Jamal Abdul Nasir, Advocate for respondents No.2&3.

Mr. Abrar Ali Khichi, Additional Prosecutor General Sindh.

Through the instant CrI. Transfer Application, applicant/
complainant seeks withdrawal of Criminal Case No.7579/2021 from the
Court of XIVth Judicial Magistrate, Karachi-South to any other Court
having jurisdiction.

The only grievance agitated by the learned counsel for the
applicant is that on 23.02.2026 he filed an application for adjournment;
however, the Presiding Magistrate dismissed the same and passed the
order for issuance of NBW against the PW/abductee. Learned counsel
for the respondents/accused states that on the application of the
complainant filed under Section 540, Cr.P.C., the Presiding Magistrate
allowed re-examination of the abductee but he could not appear for his
re-examination; therefore, the Trial Court was compelled to pass such
order. He also states that he filed an application under Section 249-A,
Cr.P.C., for the premature acquittal of the applicant/accused; however,
the same has yet not been decided by the Presiding Magistrate. He;
however, added that in case matter is decided on merit he would not
press his said application.

Learned Additional Prosecutor Sindh states that no reasonable ground has been disclosed by the learned counsel for applicant for the transfer of the subject case.

Heard and record perused.

It is reflected from the perusal of the record that the FIR was lodged on 24.06.2021 and prosecution has examined four witnesses, while the abductee has yet not been re-examined. I; therefore, dispose of this Crl. Transfer Application by directing the complainant to produce the abductee on the next date of hearing before the Trial Court for recording his evidence/re-examination. As per the statement of learned counsel for the respondents/accused after examination/re-examination of the abductee, the respondents/accused shall withdraw the application under Section 249-A, Cr.P.C., and the Trial Court shall conclude the trial and pronounce the judgment without being prejudice on account of this transfer application, in accordance with law.

The instant Crl. Transfer Application is disposed of in the above terms alongwith listed application.

CHIEF JUSTICE