

ORDER SHEET
IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR
Crl. Transfer A.No.S- 31 of 2020

Date of hearing	Order with signature of Judge.
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Hearing of Case

- 1.For orders on office objection.
- 2.For hearing of main case.

30-11-2020

Mr. Waheed Ali Samtio Advocate for applicant.
Mr. A.R Kolachi, Deputy P.G for the State.

Vakalatnama filed by Ms. Amber Iqbal Advocate on behalf of private respondents is taken on record.

The applicant being complainant by way of instant Criminal Transfer Application under Section 526 Cr.P.C has sought for transfer of his case from the Court of learned 1st Additional Sessions Judge/ MCTC, Ghotki to any other competent Court of law at district Khairpur having jurisdiction mainly for the reasons that the complainant and his witnesses are being issued threats of murder in case they appear before learned trial Court and depose against the accused persons.

Heard learned counsel for the applicant, learned counsel for private respondents/accused as well as learned Deputy P.G for the State.

Record reveals that earlier the applicant/complainant had moved Crl. Transfer Application No.S-85 of 2014 before this Court and by consent of the complainant, vide order dated 20.02.2015, Sessions Case bearing No.33 of 2014 re: State-Versus Muhammad Ibrahim and others (sought to be again transferred through this Crl. Transfer Application), was transferred from the Court of learned Sessions Judge, Sukkur to the Court of learned Sessions Judge, Ghotki with direction to proceed with the case either himself or send the same to any other judicial officer of district Ghotki.

On being asked, as to why the complainant again intends to get his case transferred from learned trial Court at Ghotki to any Court of

competent jurisdiction at Khairpur on the same ground of apprehension of danger to their lives so also on what date, time and place so also in what manner, the complainant party were issued threats of danger by the accused persons? No satisfactory reply to it was furnished by learned counsel for the applicant.

In these circumstances, the grounds taken by applicant are vague and wholly unsubstantiated. The mere allegation is not sufficient to justify transfer unless it is also substantiated by relevant material, which is not the case in hand. No ground, therefore, justifying transfer is made out. Consequently, the instant Criminal Transfer Application being misconceived stands dismissed accordingly.

JUDGE

Ahmad