

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR**  
**Crl. Transfer A.No.S- 12 of 2021**

Date of hearing	Order with signature of Judge. 1.For orders on office objection. 2.For hearing of Main Case
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**10-03-2021**

Mr. Sohail Ahmed Khoso Advocate for Applicant.  
Syed Murad Ali Shah Advocate for respondent No.2.  
Mr. Zulfiqar Ali Jatui, Additional P.G for the State.

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The applicant/accused by way of instant Criminal Transfer Application under Section 526 Cr.P.C have sought for transfer of his Sessions Case from the Court of learned 4<sup>th</sup> Additional Sessions Judge, Khairpur to any other competent Court of law having jurisdiction mainly for the reasons that on every date of hearing, the attitude of the learned Presiding Officer is too much harsh and derogatory towards the applicant/accused, therefore, the applicant has lost faith upon learned Presiding Officer to get the justice.

On being asked, as to on what dates the applicant faced the harsh and derogatory attitude at the hands of learned Presiding Officer? No satisfactory reply to it was furnished by learned counsel for the applicant. The material placed on record by the learned counsel for the applicant does not show any mala fide on the part of the Presiding Officer of the trial Court, when the case is about to end as it is pointed out that only Investigating Officer remains to be examined. Mere apprehension in the mind of applicant that he would not get justice at the hands of learned Presiding Officer is no ground for transfer of the case. Apprehension must be reasonable and the reasonableness is to be decided at the peculiar facts and circumstances of each case. No cogent reason or proof has been placed on record by the learned counsel for the applicant; hence all the contentions are totally misconceived and contrary to law.

In these circumstances, the instant Crl. Transfer Application being misconceived stands ***dismissed***.

**JUDGE**

Ahmad