

THE HIGH COURT OF SINDH BENCH AT SUKKUR

Cr. Rev. App. No. S – 44 of 2026
(*Imdad Ali Chandio & another v. The State*)

Cr. Rev. App. No. S – 45 of 2026
(*Muhammad Akram Shaikh v. The State*)

Cr. Rev. App. No. S – 52 of 2026
(*Santosh Kumar v. The State*)

Cr. Rev. App. No. S – 53 of 2026
(*Mehboob Ali Mugheri v. The State*)

Cr. Rev. App. No. S – 54 of 2026
(*Azam Ali Jhatial v. The State*)

Date of hearing : **27.07.2026**

Date of decision : **27.07.2026**

Mr. Shahid Ali Memon, Advocate for applicants.
Syed Naveed Ahmed Shah, Deputy Attorney General along with
Inspector Sadam Lashari, Sub-Inspector Mohsin Shahbaz and
Sub-Inspector Aijaz Jakhrani of FIA Crime Circle, Sukkur.

ORDER

Arbab Ali Hakro, J. – These Criminal Revision Applications, preferred under Sections 435 and 439, Cr.P.C., arise out of identical controversy and are therefore disposed of by this common order. The applicants assail the orders dated 11.02.2026 passed by the learned Additional Sessions Judge-IV (H), Sukkur, whereby their applications under Section 177, Cr.P.C. were dismissed on the premise that the cases had been received by way of transfer pursuant to communication of this Court dated 16.01.2025, and that the High Court of Sindh is competent to transfer any case within the Province.

2. The factual substratum is substantially similar across all revisions. The applicants are charged in separate prosecutions registered at Police Station FIA Crime Circle, Sukkur, under Sections 3 and 4 of the Anti-Money Laundering Act, 2010 (as amended). The predicate allegations relate to transactions, the acquisition of properties, and acts that, according to the applicants, occurred outside District Sukkur, primarily in Districts Dadu and Larkana.

3. The applicants invoked Section 177, Cr.P.C., praying that the FIRs, charge sheets and connected papers be returned to the Investigating Officer for presentation before the Court of competent territorial jurisdiction. Learned Trial Court dismissed such applications, holding that the matters had been transferred to it by order of this Court. As the impugned orders, legal questions and relief sought are identical, these revisions are decided together.

4. Learned Counsel for the applicants contended that the trial Court misdirected itself in law. The communication dated 16.01.2025, issued by the Member of the Inspection Team-II, was not a judicial order of transfer under any provision of law, but merely an administrative direction regarding the distribution of Sessions cases at Sukkur. It was further urged that such an administrative assignment cannot override the mandatory provisions of territorial jurisdiction contained in the Code. It was further submitted that Section 177, Cr.P.C. embodies the ordinary rule that every offence shall be inquired into and tried by the Court within whose local limits it was committed. Since the alleged offences, even on the prosecution's own showing, occurred outside Sukkur, the trial Court lacked territorial competence and erred in retaining jurisdiction merely on the strength of an administrative assignment.

5. Learned Deputy Attorney General, appearing with officers of the FIA, was heard. He referred to the Ministry of Interior notification dated 27.04.2021, whereby composite circles of the FIA were declared, including Sukkur. However, he candidly conceded that the issue at hand is one of territorial jurisdiction under Section 177, Cr.P.C., and that the administrative distribution of cases or the location of an investigating office cannot confer jurisdiction upon a Court otherwise lacking such competence. He therefore did not oppose the applicants' prayer.

6. I have heard the learned counsel for the parties and examined the available record.

7. Learned Trial Court dismissed the applications under Section 177, Cr.P.C. solely on the basis of a communication dated 16.01.2025 issued by the Member Inspection Team-II, High Court of Sindh. The Trial Court

treated that communication as a judicial transfer order. This approach is legally untenable. Administrative distribution of files amongst Courts does not amount to a judicial transfer under law, nor can it confer territorial jurisdiction where none exists.

8. The provision is couched in mandatory terms: *“Every offence shall ordinarily be inquired into and tried by a Court within the local limits of whose jurisdiction it was committed.”* This embodies the fundamental principle that criminal jurisdiction is territorially anchored to the situs of the offence. The rationale is rooted in fairness, convenience of witnesses, availability of evidence and the close connection between the alleged occurrence and the forum of trial. The provision admits of exceptions only as provided in subsequent sections of Chapter XV of the Code, none of which are attracted here.

9. Administrative assignment of cases, whether by MIT or by directions of the Hon’ble Chief Justice, is intended to regulate workload and the distribution of files. It does not and cannot enlarge the territorial jurisdiction of a Court. Jurisdiction is a matter of substantive law, not administrative convenience.

10. It is learned that the notification dated 27.04.2021 referred to the declaration of FIA composite circles. While that notification delineates the operational jurisdiction of FIA police stations, it does not determine the territorial jurisdiction of criminal Courts under the Code. The presence of an FIA office in Sukkur, or within its composite circle, does not ipso facto confer jurisdiction on Sukkur Courts to try offences committed in other districts. The jurisdiction of Courts flows from statute, not from the location of an investigating agency.

11. This Court has already examined the principle in Criminal Bail Applications Nos. S-349, S-310 and S-413 of 2026 (order dated 22.06.2026), holding that jurisdiction cannot be created merely because an agency is situated at a particular place. That pronouncement, though in the context of electronic crimes, enunciates a principle of general application. Territorial jurisdiction must be determined by law, not by administrative convenience.

12. The FIRs reveal that the applicants are residents of districts other than Sukkur, and that the alleged acts, transactions and acquisition of properties occurred outside Sukkur. The trial Court was therefore bound to examine whether it possessed territorial jurisdiction under Section 177, Cr.P.C. Its failure to do so, and its reliance instead on administrative communication, amounts to misreading the record and a failure to exercise the jurisdiction vested in it by law.

13. It is significant that the learned DAG, representing the State, has not opposed the revisions. On the contrary, he has fairly assisted the Court by acknowledging that jurisdiction must be determined in accordance with statutory provisions. This candour reinforces the conclusion that the impugned orders cannot be sustained.

14. For the foregoing reasons, these Criminal Revisions are **allowed**, and consequently the impugned orders dated 11.02.2026 are set aside. Learned Trial Court is directed to return the FIRs, charge sheets, and connected papers to the concerned Investigating Officer, with directions to present the same before the competent Court having territorial jurisdiction. The competent Court shall thereafter proceed strictly in accordance with law.

Office to place a signed copy of this order in the captioned connected matters.

J U D G E

Abdul Basit