

ORDER SHEET
IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR.
C.P. No.S- 70 of 2014.

DATE OF HEARING	ORDER WITH SIGNATURE OF HON'BLE JUDGE.
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1. For orders on O/objection at flag-A.
2. For Katcha Peshi.

26.06.2014.

Applicant Syed Muhammad Athar Hussain present in person
Mr. Zulfiqar Ali Jatoi DPG.

This application has been filed by the applicant in person for transfer of Sessions Case No. 24/2012 State Vs. Afan Shah & others in Crime No. 330/2011 P:S Ubauro under Sections 302, 324, 14, 148, 149, 337-H(2) PPC which is pending on the file of learned IVth Additional Sessions Judge, Mirpur Mathelo.

The applicant who is complainant of above case has prayed for the transfer of above case on the grounds taken by him in the instant applicant.

The application has been filed mainly on two grounds that (i) after re-framing of charge dated 15.03.2014, despite presence of PWs, the trial Court is not proceeding with the matter. And (ii) the trial Court is putting pressure upon the applicant to enter into compromise with the accused party.

The learned DPG present in Court states that the trial Court may be directed to expedite the matter and record the statements of the witnesses who appear before it. He also made a request that it has been alleged by the applicant the trial Court is putting pressure upon him to enter into compromise with the accused party, therefore, the trial Court may be directed to proceed with the matter in accordance with law.

I have heard the parties and perused the application, the grievance of the applicant appears to be that his case is not being proceeded with expeditiously, notwithstanding the presence of witnesses before the trial Court. The case diaries appended with the application also confirms the above fact.

In my view the grievance of applicant could be considerably attended to by issuing directions to the trial Court to proceed with the trial expeditiously in accordance with law, which has been suggested by the learned DPG. Accordingly, the trial Court is directed to expedite the progress of trial and examine the witnesses who appear before it. The trial Court shall not grant adjournments to either party on any ground, excepting where it is absolutely and necessarily unavoidable. It shall make sure that no Prosecution Witnesses are returned unexamined without any cogent reason.

In terms of the above observation, the application is disposed of.

J U D G E

Ihsan/PS.

