

**IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD**

**C.P.No.D- 2232 of 2019**

**Before;**

Mr. Justice Irshad Ali Shah  
Mr. Justice Amjad Ali Sahito

**Petitioner:** Mehboob Ali S/o Muhammad Sulleman  
Through Syed Shahzad Ali Shah advocate

**Official respondents:** Through Mr. Wali Muhammad Jamari, AAG  
a/w SHO PS Shahpur Matiari Inspector  
Shahzaman Chandio

**Date of hearing:** 27.11.2019

**Date of decision:** 27.11.2019

**ORDER**

The petitioner by way of instant petition has sought for transfer of investigation of crime No.75 of 2019 u/s 302 & 34 PPC PS Matiari to the police officer not below the rank of DSP at District Hyderabad mainly for the reason that the present investigating officer of the case is not conducting the fair investigation of his case.

2. SHO PS Shahpur Matiari in his report stated that the interim challan of the case has already been submitted before the Court having jurisdiction on the basis of fair investigation.

3. It is contended by learned counsel for the petitioner that the petitioner has no faith for fair investigation of his case at district Matiari, at the hands of present investigating officer of his case, who is mixed up with the accused. By contending so, he sought for transfer of the investigation of the case of the petitioner to any of the police officer at district Hyderabad.

4. Learned AAG has sought for dismissal of the instant petition by contending that no one could be permitted to ask for investigation of his case through the person of his choice.

5. We have considered the above arguments and perused the record.

6. The interim challan of the case has been furnished and cognizance whereof has been taken by the Court/Magistrate having jurisdiction. No investigation could be ordered to be transferred from one police officer to other on the basis of flimsy and unreasonable grounds. If the petitioner is having a feeling that investigation of his case is not being conducted honestly by the present investigating officer, then he has an alternate remedy to exhaust by filing a direct complaint of the incident before the Court having jurisdiction.

7. Based upon the above discussion the instant petition is dismissed.

JUDGE

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