

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Cr. Transfer Appln. No. S – 25 of 2021

Date	Order with Signature of Hon'ble Judge
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1. For hearing of main case
2. For hearing of MA No.1694/2021
(Notice issued)

23.04.2021

Mr. Achar Khan Gabole Advocate for the Applicant
Mr. Imran Mobeen Khan, Assistant PG for the State

ORDER

Aftab Ahmed Gorar, J; Through instant Criminal Transfer Application, the applicant/accused seeks transfer of Sessions Case No.61/2020 Re- The State v. Lal Khan from the file of learned III-Additional Sessions Judge, Mirpur Mathelo to the Court of learned IV-Additional Sessions Judge, Mirpur Mathelo, on the ground that the main case (Crime No.08/2020) the applicant/accused has been awarded conviction, and against the said conviction, he has preferred Criminal Appeal, which is pending before the Court of learned IV-Additional Sessions Judge, Mirpur Mathelo, as in both the crimes, the witnesses are same.

2. Heard the learned counsel for the applicant/accused and learned Assistant PG for the State. Admittedly, the case is now fixed for trial. It is matter of record that the applicant/accused though at the same time was attending two different Courts, but he did not seek transfer of the cases at initial stage, when both the criminal cases i.e. main as well as present off-shot were pending trial in two different Courts, the main case has already attained finality and the applicant/accused has been awarded conviction and he has preferred such appeal, which is pending before the Court of learned IV-Additional Sessions Judge, Mirpur Mathelo, hence at this belated

stage the applicant/accused is seeking amalgamation of both the matters, would not be beneficial for either party but using the tactics to delay the trial. In such a situation, no case for transfer is made-out by the applicant/accused accordingly, the instant Criminal Transfer Application is dismissed.

Judge

ARBROHI