

**ORDER SHEET**

**IN THE HIGH COURT OF SINDH BENCH AT SUKKUR**

**Cr. Transfer App. No. S – 124 of 2019**

Date of hearing	Order with signature of Judge
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**For hearing of case**

1. For orders on office objection at Flag-A
2. For hearing of main case

**10.02.2020**

Mr. Shoukat Ali Makwal, Advocate for applicant / accused.  
Mr. Zulfiqar Ali Jatoi, Additional Prosecutor General.

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Through this Transfer Application, applicant / accused Muhammad Khan seeks transfer of Sessions Case No.461/2018 titled The State V/S Abdul Jabbar and others under Section 302, PPC, registered at P.S Faiz Ganj, District Khairpur, pending before the Court of learned 2<sup>nd</sup> Additional Sessions Judge, Khairpur to the Court of learned Additional Sessions Judge, Mirwah. Notice of this Transfer Application was issued to the respondents as well as Additional P.G. In order to ascertain whether both the cases are counter cases, reports were called from the Courts of Additional Sessions Judge, Mirwah as well as 2<sup>nd</sup> Additional Sessions Judge, Khairpur.

Mr. Shoaib Niaz Khaskheli, Advocate filed power on behalf of the respondent / complainant. Learned Additional P.G, after going through the reports as well as FIRs, opined that these are the counter cases. Counsel for the applicant also submits that these are the counter cases. To avoid the conflict of the judgment, it would be better that both cases are to be tried by one and same Court. It appears that Crime No.92/2018 was registered at P.S Faiz Ganj under Section 302, PPC. Therefore, Sessions Case No.461/2018, Re. The State V/S Abdul Jabbar and others under Section 302, PPC is withdrawn from the file of 2<sup>nd</sup> Additional Sessions Judge, Khairpur, and it is transferred / made over to Additional Sessions Judge, Mirwah, so that both cases could be tried and decided together to avoid the conflict of the orders.

In the view of above, Transfer Application is **allowed** in the above terms.

J U D G E