

ORDER SHEET
IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR
Crl. Transfer A.No.S- 78 of 2020

Date of hearing	Order with signature of Judge.
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- 1.For Hearing of Main Case
2.For hearing of MA 4012/2020

06-11-2020

Mr. Shabbir Ali Bozdar Advocate for applicants.
Mr. Ajeebullah Junejo Advocate for respondent No.2.
Mr. Khalil Ahmed Maitlo, Deputy P.G for the State.

The applicants being accused by way of instant Criminal Transfer Application under Section 526 Cr.P.C has sought for transfer of their case from the court of learned 1st Additional Sessions Judge/MCTC, Ghotki to the Court of learned Additional Sessions Judge/MCTC, Ubauro mainly on the ground that another case of complainant party bearing Sessions Case No. 181 of 2017 re: State-Versus Ali Nawaz and others, arising out of Crime No.06 of 2017 of P.S, Katcho Bindi-I, under Sections 302, 201, 337H(2), 148 & 149 PPC is pending before learned Additional Sessions Judge/MCTC, Ubauro.

Learned counsel appearing on behalf of respondent No.2 as well as learned Deputy P.G. vehemently opposed the instant Crl. Transfer Application on the ground that the Sessions Case sought to be transferred by the applicants has no nexus with the Sessions Case pending before learned Additional Sessions Judge/MCTC, Ubauro, as the said case was registered at different Police Station against accused persons of another community. They further submit that no substantial ground or material has been brought on record by the applicants / accused to justify the transfer of their case.

Heard learned counsel for the applicants and learned counsel for the complainant as well as learned Deputy P.G for the State. Admittedly, the Sessions Case sought to be transferred through this Crl. Transfer Application has no relevancy with the Sessions Case, pending

trial before learned Additional Sessions Judge/MCTC, Ubauro as both the Sessions Cases were registered at different Police Stations and against accused persons of different communities.

In these circumstances, the grounds taken by applicants are vague and wholly unsubstantiated. No ground, therefore, justifying transfer is made out. Consequently, the instant Criminal Transfer Application along with listed application being misconceived stands dismissed.

Ahmad

JUDGE