

ORDER SHEET
IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR
Crl. Transfer A.No.S- 84 of 2019

Date of hearing	Order with signature of Judge.
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- 1.For hearing of main case
2.For hearing of MA 4211/19

01-02-2021

Mr. Shabbir Ali Bozdar Advocate for Applicants.
Mr. Tariq G. Hanif Mangi Advocate for Respondent No.2.
Mr. Shafi Muhammad Mahar, Deputy P.G.

The applicants by way of instant Criminal Transfer Application under Section 526 Cr.P.C have sought for transfer of their Sessions Case from the Court of learned 3rd Additional Sessions Judge, Mirpur Mathelo to any other competent Court of law having jurisdiction mainly for the reasons that the learned the applicants have lost faith upon learned Presiding Officer to get the justice, as the complainant party is openly expressing that they have won over the learned Presiding Officer.

On being asked, as to on what date the complainant only expressed to have won over the Presiding Officer of learned trial Court to get justice in their favour? No satisfactory reply to it was furnished by learned counsel for the applicants.

The material placed on record by the learned counsel for the applicants does not show any mala fide on the part of the Presiding Officer of the trial Court. Mere apprehension in the mind of applicants that they would not get justice at the hands of learned Presiding Officer is no ground for transfer of the case. Apprehension must be reasonable and the reasonableness is to be decided at the peculiar facts and circumstances of each case. No cogent reason or proof has been placed on record by the learned counsel for the applicants, hence all the contentions are totally misconceived and contrary to law.

In these circumstances, the instant Crl. Transfer Application a/w listed application being misconceived stands dismissed.

JUDGE

Ahmad