

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR**  
**Crl. Transfer A.No.S- 105 of 2020**

Date of hearing	Order with signature of Judge.
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- 1.For orders on o/objection.
- 2.For hearing of main case

**25-02-2021**

Mr. Yaseen Ali Ghunio Advocate for Applicant.  
Mr. Zaffar Ali Lanjar Advocate for Respondent No.2.  
Mr. Shafi Muhammad Mahar, Deputy P.G.

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The applicant by way of instant Criminal Transfer Application under Section 526 Cr.P.C have sought for transfer of his Sessions Case from the Court of learned 2<sup>nd</sup> Additional Sessions Judge, Naushehro Feroze to any other competent Court of law having jurisdiction mainly for the reasons that the learned the applicant has lost faith upon learned Presiding Officer to get the justice, as the attitude of learned Presiding Officer is very harsh towards applicant.

On being asked, as to on what date the applicant faced the harsh attitude of learned Presiding Officer? No satisfactory reply to it was furnished by learned counsel for the applicant. Even otherwise, above case was already transferred from the Court of learned 3<sup>rd</sup> Additional Sessions Judge, Naushero Feroze to the Court of 2<sup>nd</sup> Additional Sessions Judge, Naushehro Feroze.

The material placed on record by the learned counsel for the applicant does not show any mala fide on the part of the Presiding Officer of the trial Court. Mere apprehension in the mind of applicant that he 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 applicant; hence all the contentions are totally misconceived and contrary to law.

In these circumstances, the instant Crl. Transfer Application being misconceived stands dismissed.

**JUDGE**

Ahmad