

ORDER SHEET
IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR
Crl. Transfer A.No.S- 112 of 2020

Date of hearing	Order with signature of Judge.
-----------------	--------------------------------

- 1.For orders on o/objection.
- 2.For hearing of main case
- 3.For hearing of MA 7478/20

26-02-2021

Mr. Shabbir Ali Bozdar Advocate for Applicant.
Mian Mumtaz Rabbani Advocate for respondents No.2 to 5.
Mr. Shafi Muhammad Mahar, Deputy P.G.

The applicant/complainant 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 Additional Sessions Judge, Moro to any other competent Court of law at Sukkur having jurisdiction mainly for the reasons that basically the applicant party belongs to Tehsil Tandliwala district Faisalabad-Punjab and after this incident, they are residing there and are unable to look after their landed property because accused/respondents are not allowing them to look after and cultivate their land; that accused persons on bail and their relatives also assaulted the applicant party and made firing upon them on 15.01.2021, when they were available at their landed property, for which applicant party has also lodged FIR bearing Crime No.11/2020 at P.S,Qamaruddin Chandio against the accused persons and after investigation, said FIR has been challaned before the competent court of law; that civil litigation is also pending between the parties before this Court; that while attending the learned trial Court at Moro, the applicant party faces serious threats to their lives at the hands of accused party and serious threats are also being issued by the accused to applicant party not to pursue their murder case.

Learned counsel for the private respondent/accused opposed the grant of instant transfer application, whereas, learned Deputy P.G for the State recorded no objection if the above case is transferred from Moro to Sukkur district for its disposal in accordance with law.

In view of the contentions raised by learned counsel for the applicant, the Sessions Case No.76 of 2020 re: State-Versus Ghulam Mustafa and others, arising out of Crime No.342 of 2019 registered at P.S, Moro for offences under Sections 302, 114 and 149 PPC is withdrawn from the file of learned Additional Sessions Judge, Moro-Naushehro Feroze and entrusted to learned Sessions Judge, Sukkur who shall either try the same and / or transfer the same to any competent Court of law at Sukkur having jurisdiction for its disposal in accordance with law.

Instant Crl. Transfer Application a/w stands disposed of in the above manner.

JUDGE

Ahmad