

ORDORDER SHEET
IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR
Crl. Transfer A.No.S- 05 of 2021

Date of hearing	Order with signature of Judge.
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Fresh Case

- 1.For orders on o/objection.
- 2.For orders on MA 741/21.
- 3.For hearing of Main Case

12-03-2021

Mr. Kashif Hussain Shaikh Advocate for Applicant.

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 4th Additional Sessions Judge, Mirpur Mathelo to the Court of learned Additional Sessions Judge, Daharki mainly for the reasons that both the parties being resident of Daharki have to travel from Daharki to Mirpur Mathelo for attending the learned trial Court though in Daharki, the Court of learned Additional Sessions Judge having jurisdiction is functioning.

Heard learned counsel for the applicant and perused the material available on record. Admittedly, the applicant/complainant is seeking transfer of his case from Mirpur Mathelo to Daharki solely on the ground of his whims and wishes. On being asked as to what is the distance between village of applicant and learned trial Court at Mirpur Mathelo, learned counsel submits that there is distance of 15 kilometers, which cannot be termed as a long distance. Mere on the whims and wishes of the applicant, the case cannot be transferred to the place of his choice. 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. 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 along with listed application being misconceived stands ***dismissed***.

JUDGE

