

ORDERSHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
 Criminal Transfer Application No. S- 44 of 2022

| DATE | ORDER WITH SIGNATURE OF JUDGE |
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1. For orders on office objection at Flag 'A'.
2. For hearing of main case.

21.10.2022.

Mr. Nusrat Hussain Memon, Advocate for Applicant / complainant.

Syed Sardar Ali Shah, Additional Prosecutor General.

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Through this Criminal Transfer Application, applicant/ complainant Mst. Salehan seeks transfer of Special case No. 10/2022 (State vs. Niaz Ali Sahito and others) arising out of crime No. 40/2022 for offence under section 365-B PPC read with Section 7 of Anti-Terrorism Act, 1997, registered at Police Station Tharu Shah, District Naushehro Feroze presently pending before the court of learned Judge Anti-Terrorism Court Naushehro Feroze.

Notices were issued against respondents. Comments were called from learned Judge, Anti-Terrorism Court, Naushehro Feroze.

Learned Advocate for applicant / complainant raised only one ground for transfer of the case that complainant feels insecurity at Naushehro Feroze.

Additional Prosecutor General submits that charge has already been framed and evidence of three P.Ws have already been recorded but complainant is not producing her witnesses for further progress in the trial. Case is pending before competent Court of law.

I have carefully heard learned counsel for the applicant / complainant, learned Additional Prosecutor General and perused the material available with the case file. In the transfer application only sole ground taken by learned counsel for applicant that complainant is feeling insecurity at Naushehro Feroze. Case is

pending before competent Court of law. Case cannot be transferred at the choice of any party. There is substantial progress in the trial. Applicant has not agitated any cogent ground for transfer of case. Resultantly, Transfer Application filed by applicant / complainant merits no consideration and the same is dismissed. However, S.S.P Naushehro Feroze is directed to provide protection to P.Ws on each and every date of hearing. Let copy of this order be sent to S.S.P Naushehro Feroze for compliance.

JUDGE

Irfan/PA

