

**IN THE HIGH COURT OF SINDH,
BENCH AT SUKKUR**

Cr. Transfer Appln. No.S – 46 of 2022

Date

Order with Signature of Hon'ble Judge

For hearing of main case

14.10.2022

Syed Zahid Ali Shah, Advocate for the Applicant
Mr. Muhammad Hanif Kalhoro, Advocate for private respondents
Mr. Khalil Ahmed Maitlo, Deputy Prosecutor General

ORDER

ZAFAR AHMED RAJPUT.J.-. Through instant Criminal Transfer Application, the applicant/complainant Muhammad Zakir Hussain seeks transfer of Sessions Case No.198/2022 (Re- The State vs. Habibullah Lashari and others) from the Court of learned 3rd. Additional Sessions Judge, Naushahro Feroze to any other Additional Sessions Judge of District Naushahro Feroze, mainly on the ground that the applicant/complainant along with his witnesses attended the trial Court on “each and every” date of hearing, but the learned trial Court returned them without recording their evidence, as the trial Court is reluctant to proceed with the trial without any cogent reason.

2. This Criminal Transfer Application was filed on 25.05.2022 without annexing the case diaries of the trial Court, however, subsequently on 30.09.2022, learned counsel for the respondents filed copy of the case diaries which reflects that on 06.05.2022 no P.W was present before the trial Court and B.Ws were ordered to be issued against complainant and P.Ws thereafter matter was fixed on 16.05.2022 again on the said date the situation was same before the trial Court, hence the contention of the learned counsel for the applicant appears to be contrary to the fact that neither complainant nor his PWs were attending the trial Court, hence this application being devoid of merit is dismissed accordingly.

Judge