

Order Sheet

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

**C. P. No. D - 56 of 2023**

Date of hearing	Order with signature of Judge
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**Hearing of case**

1. For orders on office objection at Flag-A
2. For hearing of main case

**01.02.2023**

M/s Nooruddin Mahesar and Abdul Sattar Mahesar, Advocates for the petitioner.

Mr. Saeed Ahmed Wassan, Assistant Advocate General Sindh.

Mr. Khalil Ahmed Maitlo, Deputy Prosecutor General.

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Learned Counsel for the petitioner through statement files certified copies of orders dated 16.11.2022 and 17.01.2023 passed by Judicial Magistrate-I/MFC, Dera Allah Yar, while para wise comments have been filed along with annexures by respondent No.1, which are taken on record.

Through instant petition, the petitioner seeks calling of record and report from respondent No.1 and, thereafter, UTP Saeed Ghani, the son of petitioner, be set at liberty.

It is case of the petitioner that the said son of petitioner was remanded to Central Prison, Sukkur on 07.04.2022 by the Court of learned Additional Sessions Judge (Hudood), Sukkur while deciding two bail before-arrest applications in Crimes No.13 and 15 of 2014, registered at Police Station Airport, Sukkur. Subsequently, both cases were disposed of by acquitting him on 11.06.2022 and, at present, the said UTP is detained at Central Prison, Sukkur in another Crime No.77 of 2016, registered at Police Station Dera Allah Yar (*Balochistan*) under Sections 337-A(ii), 506, 34, P.P.C.

It reflects from perusal of the order dated 17<sup>th</sup> January 2023 passed by Judicial Magistrate-I/MFC, Dera Allah Yar that aforementioned case is on dormant file and the said UTP has not been shifted in judicial custody in the said case.

Shahabuddin Siddiqui, Senior Superintendent, Central Prison & Correctional Facility, Sukkur (*respondent No.1*) is present and states that measures have been taken for shifting of the UTP from Central Prison, Sukkur to Balochistan by making a request to the Inspector General of Sindh Prisons and Corrections Services, Karachi vide letter dated 27.01.2023.

We, therefore, dispose of this petition by directing the Inspector General of Sindh Prisons and Corrections Services, Karachi to expedite the matter and, after completing all procedural formalities, custody of the said UTP be shifted to Balochistan.

Instant petition stands **disposed of** in the above terms.

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Abdul Basit