

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Crl. Transfer Application No.S- 59 of 2023
(*Bahadur Lund v. Gaibi alias Aju & others*)

Mr. Mir Ali Nawaz Kalhoro, Advocate along with applicant.
Mr. Aftab Ahmed Shar, Additional P.G for the State.
Private respondents No.1 to 3 are present in person.

Date of Hearing & Order: **03-11-2023**

ORDER

MUHAMMAD IQBAL KALHORO, J.: This application has been filed by applicant/complainant for transfer of a Sessions Case No. 433 of 2023 (re: *State-Versus Gaibi alias Aju and others*), arising out of Crime No.134 of 2023, registered at P.S, Moro for offences under Sections 302, 149 PPC and off-shoot Sessions Cases No.417 of 2023, re: *State-Versus Gaibi alias Aju* (Crime No.146 of 2023, registered at P.S, Moro under Section 24 Sindh Arms Act, 2013) and a S.C No.418 of 2023, re: *State-Versus Mubeen* (Crime No.152 of 2023, under Section 24 of Sindh Arms Act, 2023), pending before the Court of Additional Sessions Judge, Kandiaro to the Court of Additional Sessions Judge, Moro on the ground that applicant, a resident of Moro, is a poor person and cannot bear travel expenses of his and his witnesses from Moro to Kandiaro to attend the Court.

2. His request has not been opposed by respondents No.1&2, who are accused, in the case except respondent No.3, who happens to be an advocate. He has filed objections stating that co-accused Gaibi alias Aju and Mubeen have entered into compromise with complainant and are hand in gloves with him. He has apprehension to his live, hence he has shifted to another town from Moro, where two times he was attacked by complainant party to murder him.

3. Learned Additional P.G for the State, however, has supported the application and submits that Naushehro Feroze will be convenient to both the parties as it is between Moro and Kandiaro. Accordingly, this Crl. Transfer Application, on the grounds as stated above, is **allowed** and the Sessions Cases, as detailed in para No.1 of this order, are withdrawn from the file of Additional Sessions Judge, Kandiaro and transferred to the 2nd Additional Sessions Judge, Naushero Feroze for disposal in accordance with law.

4. This application is **disposed of** accordingly.

JUDGE

Ahmad