

**ORDER SHEET**

**IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR  
Criminal Revision No. D – 30 of 2022**

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DATE

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 MA No.1503/2022
3. For hearing of main case

**02.08.2023**

M/s Hamayoun Shaikh and Imtiaz Ali Abbasi,  
Advocates for the Applicant  
Mr. Amanullah G. Malik, Advocate for private respondents  
Mr. Aftab Ahmed Shar, Additional Prosecutor General for the  
State

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Through this Criminal Revision Application, the applicant has called in question order dated 23.09.2022 passed by learned Judge, Anti-Terrorism Court-I, Sukkur in Special Case No.13/2021 (*Re- The State vs. Shafique and others*) arising out of FIR No.27/2021 registered at Police Station, Pano Akil for offence under Sections 302, 377-B, 295 and 34 PPC and 7 Anti-Terrorism Act, 1997, whereby the learned Judge, Anti-Terrorism Court-I, Sukkur has held that case is not triable under the provisions of Anti-Terrorism Act, 1997, hence transferred the same to the Court of Sessions Judge, Sukkur for want of jurisdiction.

Mr. Amanullah G. Malik, Advocate for the private respondents/accused pointed out that the case is at present pending trial before Additional Sessions Judge (Hudood), Sukkur.

Learned counsel for the applicant does not press instant Criminal Revision Application; however, submits that the trial Court may be directed

to resume the proceedings from the stage at which as it was transferred by the learned Anti-Terrorism Court to Court of Sessions.

Learned counsel for the private respondents/accused as well as learned Additional Prosecutor General for the State have also been heard. Since this Criminal Revision Application is not pressed by the Counsel for the applicant, hence the same is **dismissed as not pressed** along with listed application. However, following the dictum laid down by Supreme Court in the case of ***Shahbaz Khan alias Tippu and others v. Special Judge Anti-Terrorism Court No.3 Lahore and others (PLD 2016 Supreme Court 1)***, the learned trial Court / Additional Sessions Judge (Hudood), Sukkur is directed to resume the proceedings from the stage at which it was transferred by the Anti-Terrorism Court-I, Sukkur to Court of Sessions.

Judge

Judge

ARBROHI