

**ORDER SHEET**

**THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA**

**Criminal Transfer Application No.S-78 of 2024**

<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE</b>
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1. For orders on M.A.No. 6429/2024 (U/A).
2. For orders on office objections at flag "A".
3. For orders on M.A.No. 6430/2024 (E/A).
4. For hearing of main case.

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**06.11.2024**

Mr. Zafar Ali Malghani, Advocate for the Applicant.

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1. Urgency is granted.
- 2-4. Through this Criminal Transfer Application, the applicant has impugned the order dated 21.10.2024, passed by learned Sessions Judge, Jacobabad in Criminal Transfer Application No.17 of 2024, whereby the prayer of the applicant for transfer of Criminal Case No.186/2024, emanating from Crime No.07/2024, registered at Police Station Civil Line, Jacobabad, from the Court of Civil Judge and Judicial Magistrate-II, Jacobabad to any court having jurisdiction was declined.

Learned counsel submits that the applicant has lost his faith on the Presiding Officer due to his harsh behavior and adverse comments against the applicant; that on 21.09.2024 while recording evidence of the complainant learned Presiding Officer was fully supporting the complainant and the objection of the counsel for the applicant/accused was also not considered, hence the applicant has apprehension that the trial may not be concluded in accordance with law, therefore, instant Criminal Transfer Application may be allowed.

Perusal of record reveals that the learned trial Court had filed comments before the learned Sessions Judge, Jacobabad alongwith deposition of the complainant, which depicts that the learned counsel for the applicant/accused in open court repeatedly raised unnecessary objections and said that he will not spare the Judge upto Supreme Court and his attitude was intimidating and interruptive; inspite of such harsh

behavior he was provided opportunity to cross examine the witness, but he out rightly refused the same by showing his lack of trust upon the Presiding Officer.

Apparently, the grounds as mentioned in the memo of Criminal Transfer Application are not admissible and just mere allegation has been leveled that the learned Presiding Officer is extending undue favour to the complainant party. I do not find any reasonable ground for transfer of the case from the said Court. Accordingly, instant Criminal Transfer Application, being devoid of merits, is dismissed in *limine*.

**Judge**

*Manzoor*