

ORDER SHEET
**IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD.**

Cr.Transfer.Appl.No.S- 39 of 2020

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objection.
2. For hearing of main case.

29.03.2021.

Mr. Mushtaque Hussain Khaskheli, Advocate for applicant.
Mr. Muhammad Kaleemullah Memon, Advocate for respondent No.3.
Mr. Nazar Muhammad Memon, Additional Prosecutor General.

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Applicant / accused Qabil Khan Jatoi seeks transfer of Direct Complaint No.1 of 2019 (Re-Muhammad Yakoob v. Qabil Khan and others) pending before the Civil Judge / Judicial Magistrate-III, Matiari to some other court. Learned advocate for applicant admits that he has approached this court for transfer of the case, without approaching the learned Sessions Judge concerned in the first instance. Applicant / accused was required to approach the learned Sessions Judge in the first instance for transfer of the case from the court of concerned Magistrate. Admittedly that remedy has not been exhausted by applicant / accused.

In the view of above, learned advocate for the applicant does not press this criminal transfer application and states that he would approach the learned Sessions Judge in the first instance. Accordingly, this criminal transfer application

is dismissed as not pressed. However, the applicant would be at liberty to approach the concerned Sessions Judge in the first instance.

JUDGE

Tufail