

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Criminal Transfer Application No.68 of 2026

Date Order with Signature(s) of Judge(s)

For hearing of case.

19.08.2026

Mr. Amjad Hussain Qureshi, Advocate for applicant.
Mr. Abrar Ali Khichi, Additional Prosecutor General.

Mr. Sajeel Rehman Advocate files power on behalf of respondent No.1, which is taken on record.

Through the instant Criminal Transfer Application, applicant/accused seeks transfer of Criminal Case No.364/2024 from the Court of VIIIth Judicial Magistrate, Malir-Karachi to any other Court having jurisdiction.

Learned counsel for the applicant contends that the applicant is annoyed by the harsh conduct of the Presiding Officer of the Trial Court; hence, he seeks transfer of the case, as he has reasonable apprehension in his mind that he will not get a fair and impartial trial.

On the other hand, learned counsel for respondent No.1 as well as learned Addl. Prosecutor General state that after investigation I/O submitted the charge sheet in the year 2021, thereafter in the year 2024 the matter was transferred to present Trial Court on the administrative ground; however, the same could not be concluded in five years mainly on account of seeking adjournments by the defence side. The prosecution has concluded its evidence and now the matter is fixed for deciding two applications filed under Sections 540 & 540-A Cr.P.C., by the complainant; hence, at this stage, the transfer of the case will not be suitable.

Heard and recorded perused.

It may be observed that self-procured mistrust and expression of no confidence in Court cannot be encouraged to transfer case from Trial Court particularly where no allegation of partisanship for reason of any type of adverse interest is alleged or proved. In the instant case, it appears that prosecution has concluded its evidence; hence, at this stage it will not be fair to withdraw the case from the Trial Court merely on the ground that the conduct of the Presiding Officer with the applicant is harsh. No reason has been assigned against alleged conduct of the Presiding Officer. I; therefore, dismiss this Criminal Transfer Application being devoid of any merit with direction to Trial Court to proceed with the matter expeditiously and conclude it within a period of 30 days hereof.

The instant Criminal Transfer Application stands disposed of.

CHIEF JUSTICE