

**ORDER SHEET.**

**IN THE ISLAMABAD HIGH COURT, ISLAMABAD.**  
**JUDICIAL DEPARTMENT.**

**CrI. Misc. No.619-T/2019**

Zafar Iqbal

*versus*

The State, etc.

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	18.10.2019	Ms. Saddiqa Faisal, Advocate for applicant.

Through this criminal miscellaneous application, the petitioner prayed for transfer of his pending trial on the allegation that the Presiding Officer is biased against him and he lost trust upon the Court. A report has been requisitioned from the learned Trial Court in this regard.

2. In compliance of order dated 09.10.2019, a detail report dated 14.10.2019 has been received from the court of Raja Asif Mehmood, Additional Sessions Judge-IV/Judge MCTC (East), Islamabad, which entails the following facts.

*".....Brief history of the case is that it was transferred to this Court in month of July, 2019 when the undersigned was abroad in connection with a training and consequently the file of the said case was produced before the undersigned for the first time on 12.09.2019 and the next date was fixed as 19.09.2019 for prosecution evidence, however on said date the accused Zafar Iqbal stated that he has no trust upon this Court and he intends to move transfer application before Hon'ble Islamabad High Court, Islamabad. Since then the no progress has been made in the instant case.*

*It is pertinent to mention here that the undersigned has always been working as a Judicial Officer with utmost dignity and honesty and never decided any case arbitrarily or in haste. The undersigned never allowed to developed in his mind any bias against any litigant. No doubt the undersigned is performing his duty in his own Tehsil, but there is no ill will in the mind of undersigned against any litigant including the present accused/petitioner, however if the Hon'ble Islamabad High Court, Islamabad deems it appropriate to transfer the case in hand to any other Court of complainant jurisdiction, the undersigned has no objection."*

3. In view of above background provided in the report, this Court truly believes that Raja Asif Mehmood, Additional Sessions Judge-IV/Judge MCTC (East), Islamabad is working with full honesty and dedication, while the allegation leveled by applicant against the said learned Judge is baseless and false. However, as the learned Judge has shown grace and expressed his wish for transfer of case in hand to any other Court of competent jurisdiction, the instant application stands **DISPOSED OF** with the following direction:

“The trial of case FIR No.204, dated 13.12.2017, under Section 302 PPC, P.S. Nilore, Islamabad is hereby transferred from the Court of Raja Asif Mehmood, Additional Sessions Judge-IV/Judge MCTC (East), Islamabad and entrusted to the Court of Mr. Muhammad Adnan, Additional Sessions Judge-II (East), Islamabad, with direction to proceed with the trial on day-to-day basis and conclude the same within the period of 02 months from date of passing of this order.”

**(MOHSIN AKHTAR KAYANI)**  
JUDGE