

**IN THE HIGH COURT OF JUSTICE OF THE F.C.T.**  
**IN THE ABUJA JUDICIAL DIVISION**  
**HOLDEN AT KUBWA, ABUJA**  
**ON TUESDAY, THE 4<sup>TH</sup> DAY OF FEBRUARY, 2020**  
**BEFORE HIS LORDSHIP: HON. JUSTICE K. N.**  
**OGBONNAYA**

**JUDGE**

**SUIT NO.: FCT/HC/CR/113/15**

**BETWEEN:**

**FEDERAL REPUBLIC OF NIGERIA ----- COMPLAINANT**

**AND**

**1. VICTORIA ADENIKE ADELANA ----- DEFENDANT/APPLICANT**

**2. ADEWOLE OLUGBENGA**

**3. PATRICK IDOWU OJO -----**

**4. EZECHI NWABUGO BENEDICT**

**DEFENDANTS**

**BENCH JUDGMENT**

It is a norm that once a Nominal Complainant has in his own words stated before the Court that he does not know and has no dealings with the other Defendants charged together, the Court has no reason not to discharge and acquit those Defendants and set them free, more so when it is evidently clear that the affected Defendants have

nothing to link them with the issue in dispute or the offence in question.

In this case the PW1 who is also the Nominal Complainant has in his Testimony in Chief and under Cross-examination stated that he never had any dealings with 2<sup>nd</sup> – 4<sup>th</sup> Defendants in this case who have been attending Court for the past Four (4) years when this matter was first mentioned in this Court.

The PW2 had equally stated in Court that he had no dealings with any of the 2<sup>nd</sup> – 4<sup>th</sup> Defendants in Court today as far as the offences in this case are concerned.

When the PW1 who is the Nominal Complainant was asked in Examination in chief whether he knows any of the 2<sup>nd</sup> – 4<sup>th</sup> Defendant he said:

“I only know the 1<sup>st</sup> Defendant – Victoria Adenike Adelana. I do not know the others. I have no business with the others. I have business with only the 1<sup>st</sup> Defendant – Victoria Adenike Adelana. I only met the others in this Court in the cause of this case.

When the PW1 was Cross-examined by the 2<sup>nd</sup> Defendant Counsel and was asked whether he knows the 2<sup>nd</sup> Defendant, he responded:

“I never met him in my life. This is my first time of meeting him in my life is in this Court”.

The 3<sup>rd</sup> Defendant Counsel asked the PW1 to look at the 3<sup>rd</sup> Defendant and tell the Court if he has ever met him in his life or had any dealing or business with him as far as this case is concerned. The PW1 said:

“I never met him or anyone of them in my life. I met them only in this Court. I never have any transaction with him”.

He further stated that the 2<sup>nd</sup> & 3<sup>rd</sup> Defendants were not present the day he had transaction with the 1<sup>st</sup> Defendant or were not present the day he gave the 1<sup>st</sup> Defendant the money for the land purchase of the land which is the issue at the centre of the offence in this case.

When the 4<sup>th</sup> Defendant Counsel asked the PW1 to confirm that the transaction was between him and the 1<sup>st</sup> Defendant, he the PW1 stated:

“Yes I stand by that. I had transaction only with the 1<sup>st</sup> Defendant and not with 2<sup>nd</sup> – 4<sup>th</sup> Defendants. I do not know those ones”.

Today the PW1 had equally stated that he had transaction with only the 1<sup>st</sup> Defendant and that he does not know the 2<sup>nd</sup> – 4<sup>th</sup> Defendants.

From all indication, it is glaringly clear that the 2<sup>nd</sup> – 4<sup>th</sup> Defendants has no business being paraded in Court in this matter.

It is imperative to point out and reiterate that the 2<sup>nd</sup> – 4<sup>th</sup> Defendant had been coming to this Court to stand trial on this Suit since the 24<sup>th</sup> day of May, 2015. It took three (3) years plus before they were arraigned because the 1<sup>st</sup> Defendant was at large and subsequently ill when she surfaced. They have all pleaded not guilty to the charges. This Court has monitored them and keenly observed their antecedents throughout this period of four (4) years long and had equally listened and recorded the testimonies the PW1 Nominal Complainant and his agent, PW2.

The Court has realized that the 2<sup>nd</sup> – 4<sup>th</sup> Defendants have no case to answer in this Suit going by the analysis given above.

**So the Court hereby order that the 2<sup>nd</sup> – 4<sup>th</sup> Defendants in this case discharge and acquit to wit that you:**

- **Adewole Olugbenga**
- **Patrick Idowu Ojo**
- **Ezechi Nwabugo Benedeth the 2<sup>nd</sup> – 4<sup>th</sup> Defendants in this Suit are hereby immediately DISCHARGED and ACQUITED in this Suit. Suit Charge No:**

**CR/113/15 today the 4<sup>th</sup> day of  
February, 2020.**

**By the above Order made by this Court today  
the only person standing trial in this Suit is  
Victoria Adenike Adelana who until now is  
known as the 1<sup>st</sup> Defendant in this Suit.**

**This is the Judgement of this Court.**

**Delivered today the \_\_\_\_\_ day of \_\_\_\_\_  
2020 by me.**

\_\_\_\_\_  
**K.N. OGBONNAYA  
HON.JUDGE.**