

**IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY,
IN THE ABUJA JUDICIAL DIVISION,
HOLDEN AT COURT NO. 8 APO, ABUJA.
BEFORE HIS LORDSHIP: HON. JUSTICE O. A. MUSA.**

CHARGE NO: CR/75/2021

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA --- COMPLAINANT

AND

OKORO DANIEL ALIAS (MICHEAL KANI) --- DEFENDANT

JUDGMENT

DELIVERED ON THE 18TH OCTOBER, 2021

The defendant was charged with the following:-

That you **OKORO DANIEL ALIAS (MICHEAL KANI)** sometime in 2020 did in Abuja within the Jurisdiction of this Honourable by deceiving while pretending to be **MICHEAL KANI**, an American working with the United Nation as a doctor, cheated by inducing **Christiana Morgan, Auriel Correl** and one **Philip** all American citizens to deliver to you American dollars equivalent to N10,000,000.00 (Ten Million Naira) which you used to acquire a Lexus Jeep car with Model PX 350 and you thereby committed an offence country to section 320 (a) of the Penal Code Act, Laws of the Federation of Nigeria (Abuja), 1990 and under section 322 of the same Law.

The case came up for hearing on 18/10/2021 the charge was read to the defendant and the defendant pleaded guilty to the charge.

The prosecutor Counsel informed the court that the parties have filed a plea bargain agreement dated 16/06/2021 both parties adopt same.

Having carefully considered the plea of guilt by the defendant therefore it is trite that where a person pleads guilty of committing an offence, it would be unnecessary to embark on full blown trial, hence the issue of fairness or unfairness in regard to the hearing is of no moment. Hearing is foreclosed, the next and last procedural steps is to admit any evidence tendered by the prosecution and proceed to convict and sentence the defendant appropriately. See the case of SAMUEL AYO OMOJU Vs. FEDERAL REPUBLIC OF NIGERIA (2008) 7 NWLR (Pt.1085) 138.

At this juncture by the defendant's plea of guilt he has relieved the court of rigorous, lengthy and time consuming trial and also earned him the possibility of him enjoying leniency and a less stringent penalty. See the case of BAALO Vs. F. R. N (SC) 373/2012 (2016) NGSC 16 (3 JUNE 2016).

At this end by the combined provision of section 270 (9-10(a) and 11 of ACJA I adopt the plea bargain agreement of the parties, the defendant is hereby convicted and sentence.

That terms of this bargain shall form and constitute the Judgment of this Honourable Court.

That no any other charge shall arise against the Defendant in respect of this offence(s).

The defendant has pleaded guilty to the one count charge he is hereby convicted as charged.

Having carefully listened to the plea of leniency made by the defence counsel, I am aware of the plea bargain entered and signed by both parties. However, the court is duly bound to convict bad characters although the convict is so remorseful and he is a kind man, I believe he has regretted his action.

In conclusion and in sentencing the convict, he is hereby sentenced to 3 months imprisonment to be served at correctional center Kuje, with option of payment of fine of N100,000.00 (Hundred Thousand Naira) in lieu of imprisonment.

All items received from the crime are hereby forfeited to the Federal Government of Nigeria.

This shall be the Judgment of this court. I so hold.

APPEARANCE

Mariya Shariff Esq. For the prosecutor.

E. G. Inalegwu Esq. for the defendant.

Sign

Hon. Judge

18/10/2021