

**IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY,  
IN THE ABUJA JUDICIAL DIVISION,  
HOLDEN AT COURT NO. 13 BWARI, ABUJA.  
BEFORE HIS LORDSHIP: HON. JUSTICE O. A. MUSA.**

**SUIT NO. FCT/HC/CR/119/2017**

**BETWEEN:**

FEDERAL REPUBLIC OF NIGERIA ..... COMPLAINANT

**AND**

DANDAURA JOSHUA ..... DEFENDANT

**JUDGMENT**

**DELIVERED ON 28<sup>TH</sup> OCTOBER, 2021**

The Defendant Dandaura Joshua being an employee of Nigerian Security and Civil Defence Corps Abuja as a Deputy Superintendent of Corps was brought before this Honourable Court by the Complainant ICPC on two (2) count charge on the 23<sup>rd</sup> March, 2017. The count is:

**COUNT 1:**

That you **DANDAURA JOSHUA** (m) sometimes in January, 2016 or thereabout, in Abuja while being in the employment of Nigeria Security and Civil Defence Corps, Abuja as Deputy Superintendent of Corps did confer corrupt advantage upon yourself when you received the sum of N 200, 000.00 from one Dr. Emmanuel Osuore in two tranches of N100, 000.00 (One

Hundred Thousand Naira) each through your Ecobank Account Number 1622004453 to secure fresh employment and you thereby committed an offence contrary to and punishable under Section 19 of the Corrupt practices and other Related Offences Act, 2000.

## **COUNT 2:**

That you **DANDAURA JOSHUA** (m) sometimes in January, 2016 or thereabout, at Abuja within the jurisdiction of this Honourable Court being entrusted with the sum of N 200, 000.00 for fresh employment which you received from one Dr. Emmanuel Osuore in two tranches of N100, 000.00 (One Hundred Thousand Naira) each through your Ecobank Account Number 1622004453 did commit criminal breach of trust by dishonestly misappropriating the said sum of N 200, 000.00 and you thereby committed an offence contrary to and punishable under Section 323 of the Penal Code CAP 532 Laws of the Federal Capital Territory Abuja 2006.

When the count was read to him in English Language which he understood very clearly and he pleaded not guilty and he was granted bail which he continue to enjoy and the case was adjourned for trial. But however, on the 26<sup>th</sup> of March, 2019 the prosecution counsel **E. O. Akponimisighe Esq. (SLO)** with ICPC, the Defendant/accused was in court then the

defense counsel was absent. The prosecution informed the court that the defense counsel was at his chambers last night and told him that the Defendant will be in court to change his plea. He informed the court that the Defendant/accused person has now decided upon himself to change his plea of not guilty to guilty and therefore urges the court to read the two (2) count charges again afresh to the Defendant to enable him make a plea. The two (2) count charge were read to him in the open court to his hearing which he understood and the following questions came up from the court to him:

Court to Defendant: What did you discuss with your lawyer

Defendant Ans: It is the same the prosecution has just informed the court.

Court to Defendant: Do you now want to change your plea of not guilty to guilty?

Defendant Ans: Yes

Court now ordered that the two (2) count charge be read to the hearing and understanding of the Defendant.

### **COUNT 1:**

Court to Defendant: Do you understand the first count charge read to you in English Language?

Defendant: Yes I understood.

Court to Defendant: Are you guilty or not Guilty?

Defendant to Court: Yes I am guilty

**COUNT 2:** Count two (2) was also read to the Defendant.

Court to Defendant: Do you understand the Second count charge read to you in English Language?

Defendant: Yes I understood.

Court to Defendant: Are you guilty or not Guilty?

Defendant to Court: Yes I am guilty.

Prosecution: In view of the plea of guilty of Defendant to the charges 1 & 2 read to him, may we invoke the providence of Section 274 of ACJA 2015 sub 1, we submit the following documents to the court in support of our case 1 to 9 to enable the court go through them and pass its sentence appropriately.

COURT: The document tendered by the prosecution are taken in evidence and marked as Exhibit A1 to A9 respectively.

Court to Defendant: Have you anything to say to the court before sentence is passed on you in respect of the two (2) count charge brought against you by the prosecution?

Defendant Answer: I want the court to be lenient to me that I will not commit such an offense again. I pray to be a good citizen, I have children and my parents are still alive and i am the bread winner of the house. I want the court to forgive me.

### **COURT SENTENCE:**

Having carefully perused the nature and gravity of the offense committed by the Defendant/accused person an offense which is contrary to and punishable under Section 19 of Corrupt Practices and other related offences Acts 2000, and also an offence committed contrary to and punishable under Section 323 of the Penal Code CAP 532 Laws of the Federal Capital Territory Abuja 2006 and also having listen to the prayer of allucutus, it is my view that even though the Defendant has regretted his action by committing such an offence and most importantly by pleading guilty he has also chooses not to waste the time of the court.

To this end therefore, I hereby sentence the accuse to Six (6) Month imprisonment each for the two count to start from the date he pleaded guilty and to run concurrently or with an option to pay the fine of N 100,000 (One Hundred Thousand Naira) only.

### **APPEARANCE**

E. O. Akponimisingha, Esq. principal officer ICPC for prosecution.

S. T. Sanny, Esq. with me Rubben Charles, Esq. for the Defendant

Sign

Hon. Judge

28/10/2021