

**IN THE HIGH COURT OF JUSTICE FEDERAL CAPITAL TERRITORY
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT HIGH COURT MAITAMA – ABUJA**

BEFORE: HIS LORDSHIP HON. JUSTICE S. U. BATURE

**COURT CLERKS: JAMILA OMEKE & ORS
COURT NUMBER: HIGH COURT NO. 24
CASE NUMBER: SUIT NO. FCT/HC/CR/299/21
DATE: 15TH DECEMBER, 2021**

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA.....COMPLAINANT

AND

EJIGA SAMUEL.....DEFENDANT

APPEARANCES:

Defendant in Court.

Fatima M. Mustapha Esq for the Prosecution.

Adaji Abel Esq with Joseph Nyong Esq for the Defendant.

JUDGMENT

PROSECUTION COUNSEL:

The matter is for arraignment. We have a One Count Charge. We humbly pray that the charge be read to the hearing of the Defendant.

COURT:

Granted. The One Count Charge has been read to the hearing of the Defendant.

Defendant, do you understand the one count charge?

DEFENDANT:

I understand the charge.

COURT:

How do you plead to the charge?

DEFENDANT:

I plead guilty.

PROSECUTION:

In view of his plea and the plea bargain agreement with the Prosecution which was entered mutually. The Defendant had forfeited the proceeds of crime. In view of this I hereby apply for the terms of the plea bargain to be adopted. We also apply that the terms be considered while sentencing.

DEFENCE COUNSEL:

That is the position.

COURT:

The Defendant is asked about the terms of the plea bargain.

DEFENDANT:

Yes, I understand the terms of the plea bargain agreement. I entered into it voluntarily without any coercion, or inducement.

CONVICTION

The Defendant having pleaded guilty to the offence charged be and is hereby convicted accordingly for the offence of cheating contrary to Section 320(b) of the Penal Code Laws of Nigeria (Abuja) and punishable under Section 322 of the same law based on the plea bargain agreement.

ALLOCUTUS

DEFENCE COUNSEL:

The Convict is aware of the implications of pleading guilty to the charge, without wasting the time of the Court. During investigations the Convict gave useful information and co-operated with the Prosecution.

The family is here in Court. We are humbly appealing that despite the wide discretion, to grant the Convict the opportunity of a second chance at life. He has learnt skills on how to make himself in the society. We urge my Lord to tamper justice with mercy.

PROSECUTION COUNSEL:

No previous record.

CONVICT:

I will not repeat it again.

SENTENCE

In passing this sentence, I took into consideration the plea of Allocutus made by the learned Defence Counsel on behalf of the Convict as well as the Convict himself. I've also considered the fact that according to the learned Prosecuting Counsel, the Convict had already forfeited the proceeds of crime.

Therefore, having perused the plea bargain agreement dated 8th September, 2021 I hereby sentence the Convict **to pay a fine of ₦100, 000.00 or to serve one year imprisonment in default of payment of fine.**

Signed:

Hon. Justice S. U. Bature
15/12/2021.