

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

BEFORE HIS LORDSHIP: JUSTICE SALISU GARBA
COURT CLERKS: FIDELIS T. AAYONGO & OTHERS
COURT NUMBER: HIGH COURT TWO (2)
CASE NUMBER: FCT/HC/CR/25/2017
DATE: 12TH DECEMBER, 2017

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA - COMPLAINANT

AND

OLUWOLE FAYIGA - DEFENDANT

Defendant in court.

I.I. Ashom for the prosecution.

J.A. Musa for the Defendant.

Prosecution Counsel – The matter is slated today for plea bargain.

Based on that the prosecution has filed an amended charge and so also the plea bargain agreement.

We are ready to proceed.

Defendant's Counsel – That is the true position.

Court – The Amended Charge read and explained to the Defendant before making is plea.

COUNT 1

Defendant – I understand the charge. I am guilty.

Prosecution Counsel – In view of the guilty plea and the plea bargain agreement reached by the Defendant and the

Complainant which we filed in court, we urge the court to enter judgment based on the agreement entered by both parties.

Defendant's Counsel – That is the position as stated by the prosecution's counsel.

Court – The Defendant is hereby convicted of the 1 count charge based on his plea of guilt; while the case is adjourned to 14/12/17 for sentencing. I order that the Defendant be remanded in prison custody.

(Sgd)
Justice Salisu Garba
(Presiding Judge)
12/12/17

14TH DECEMBER, 2017

Defendant in court.

I.I. Ashom for the prosecution.

Adewale Lawal for the Defendant.

Prosecution's Counsel – The matter is slated today for sentencing and we are ready.

Defendant's Counsel – I am passing the sentence on the defendant I urge the court to consider that the Defendant is a first offender and married with 3 children.

The 3 children are out of school for the past 6 months as a result of the Defendant being in prison custody.

The defendant is remorseful and prepared to compensate his victims.

Prosecution's Counsel – There is no record of previous conviction and the Defendant is ready to compensate the victims of his crime as per our plea bargain argument.

The convict has not paid the initial deposit he promised to pay before the sentence i.e. the sum of N504,000.00.

I pray the court to stay the sentence until when the Defendant made the first initial payment of N504,000.00.

Defendant's Counsel – I have no objection.

Representative of the Nominal Complainant (Frankline Nwazor) Business Mayor FCT) – The prosecution's counsel has informed me about the plea bargain agreement with the terms herein.

Court – The application for adjournment by the prosecution counsel to enable the Defendant pay the initial deposit of N504,000.00 to the nominal complainant is hereby granted.

Case adjourned to 31/1/2018 for sentencing. I order that the Defendant be remanded in prison custody.

(Sgd)
Justice Salisu Garba
(Presiding Judge)
23/2/2018

23RD FEBRUARY, 2018

Defendant in court.

I.I. Ashom with O.O. Ayo for the prosecution.

Adewale Lawal for the Defendant.

Prosecution's Counsel – The matter was set out today for sentencing of the Defendant.

The Defendant has paid the 1st installment of N504,000 to the Nominal Complainant and has handed over 45 leaf of cheque to the nominal complainant.

The representative of the nominal is in court to confirm it; they have written an acknowledgment of the receipt of the money and the cheques. We pray the court to proceed with the sentencing.

Representative of the Nominal Complainant (Frankline Nwazor) – I confirmed the receipt of the sum of N504,000.00 and the cheques from the Defendant.

Defendant's Counsel – I confirmed what the prosecution's counsel and the representative of the nominal complainant have said.

Court – After listening carefully to the submissions of the learned counsel on both sides and so also the content of the plea bargain entered into by the complainant and the Defendant which this court accepted.

In sentencing the Defendant, I have taking into consideration the fact that he is a first offender, a young man with family, he is remorseful and has paid the sum of N504,000.00 as part of the proceed of the crime and has spent about a year in prison on remand.

The Defendant is hereby sentenced to one year imprisonment with effect from the date of his first remand 14/3/17. And he is to provide a surety for the payment of the balance of the money due to the nominal complainant before he is released.

(Sgd)
Justice Salisu Garba
(Presiding Judge)
23/2/2018

Defendant's Counsel – Thank you my lord.

Prosecution's Counsel – We thank the court.

(Sgd)
Justice Salisu Garba
(Presiding Judge)
23/2/2018