

**IN THE HIGH COURT OF JUSTICE OF KADUNA STATE OF NIGERIA**  
**IN THE KADUNA JUDICIAL DIVISION**  
**HOLDEN AT KADUNA**  
**BEFORE: THE HON. JUSTICE M.T.M. ALIYU ----- JUDGE**  
**SUIT NO:KDH/KAD/62/EFCC/2019**

**BETWEEN:**

**FEDERAL REPUBLIC OF NIGERIA .....COMPLAINANT**

**AND**

**SALISU KABIRU ABDULSALAM .....DEFENDANT**

30 - 10 - 2019

Defendant in court, speak English.

M.E. Eimonye with her Y.J. Matiyak for  
Prosecution.

E.C. Aneme for defendant.

EIMONYE - This is a one count charge dated 18/09/2019 and for an amended charge dated 30/10/2019. We apply that the charge dated 18/09/2019 be withdraw.

ANEME – No objection.

COURT - The Charge dated 18/09/2019 is struck out.

Signed Hon. Judge

30/10/2019

EIMONYE – We apply that the charge dated 30/10/2019 be read to defendant and his plea be taken.

COURT - Charge cheating one Samaila Boyi to deliver property worth ₦702,000.00 to him punishable under section 307 of Penal Code read and explain to defendant.

Signed Hon. Judge

30/10/2019

DEFENDANT - I understand the charge read and explained to me. I am guilty. He supplied me the materials and I was supposed to pay him his money but there was crash in the market, but truly speaking I never intended to pay him his money for the supply. I am guilty of the offence.

EIMONYE - We have filed a plea Bargain Agreement dated 30/10/2019 which we both signed. We urge court to convict the defendant.

ANEME – That is the position.

COURT - In view of the clear admission of guilty by the defendant, I hereby convict him for the offence of cheating under Section 307 of Penal Code.

**Signed**

**HON. JUSTICE M.T.M. ALIYU - JUDGE**

**30/10/2019**

ANEME – We wish to plea with the court to exercise its discretion in favour of the defendant. He's been remorseful and he will not commit an offence in his life again. It is a mistake he committed this offence. He's already paid

back ~~N~~120,000.00 out of the sum of ~~N~~702,000.00. He's married with 6 children. He's also promise to pay the balance as promised in the Plea Bargain.

EIMONYE – There's no record of previous conviction, we urge court to sentence the convict in line with our Agreement

COURT - J U D G M E N T

The convict is a first offender and has demonstrated enough remorse. He is a bread winner to his spouse and 6 children. I have also considered the magnitude, and the fact that cheating is rampant in our society. I consider a sentence of 3 years imprisonment with option of ~~N~~200,000.00 (Two Hundred Thousand Naira) fine, adequate punishment.

The convict is sentenced to 3 years imprisonment or a fine of ~~N~~200,000.00. Provided that the convict shall also make restitution and pay by 3 installments the balance sum of ~~N~~582,000.00 in the manner agreed in the Terms of the Plea Bargain dated 30<sup>th</sup> October, 2019. Should the convict fail to pay any part of the said sum of money to the Nominal Complainant, he shall serve an additional prison term of One Year Imprisonment.

*Signed*  
**HON. JUSTICE M.T.M. ALIYU – JUDGE**  
**30/10/2019**