

IN THE HIGH COURT OF JUSTICE OF KWARA STATE OF NIGERIA

IN THE ILORIN JUDICIAL DIVISION

HOLDEN AT ILORIN

ON 22ND NOVEMBER, 2021

BEFORE HIS LORDSHIP: HON JUSTICE A. O. AKINPELU - JUDGE

SUIT NO: KWS/110^C/2020

BETWEEN

FEDERAL REPUBLIC OF NIGERIA.....COMPLAINANT

VS

AFOLABI GAFAR.....DEFENDANT

JUDGMENT

The charge against the defendant is dated 25th day of November, 2020 and filed on the 26th day of November, 2020 which reads as follows:

1. That you, **AFOLABI GAFAR** sometimes in March 2020 at Ilorin, within the judicial division of the High Court, did attempt to cheat by personation when you fraudulently pretended to be a white female named Alice Smith and in that deception offered a lottery winning to one Eric Pluger vide your gmail account; alicesmith1000@gmail.com and thereby committed an offence contrary to Section 321 and punishable under Section 324, read along with Section 95 of the Penal Code Law.
2. That you, **AFOLABI GAFAR** sometimes in February, 2020 at Ilorin, within the judicial division of the High Court, did cheat by personation, when you fraudulently pretended to be a white female named Lisa Donald with gmail account; lisadonald460@gmail.com and in that deception induced one Richard Moore on gmail hangout to part with \$30 (Thirty USD) vide iTunes Gift Card under the guise of being in a relationship with him and thereby committed an offence punishable under Section 324 of the Penal Code Law.

3. That you, **AFOLABI GAFAR** sometimes in May, 2020 at Ilorin, within the judicial division of the High Court, did cheat by personation, when you fraudulently pretended to be a white female named Alice Smith with gmail account, alicesmith1000@gmail.com and in that deception induced one Robert Stewart on gmail hangout to part with \$40 (Forty USD) vide vanilla gift card under the guise of being in a relationship with him and thereby committed an offence punishable under Section 324 of the Penal Code Law.

The defendant pleaded guilty to the charge.

The prosecution thereafter reviewed the facts of the case and tendered the following items in evidence:

1. One letter dated 7/9/20 addressed to the Zonal Head, EFCC, Ilorin.
2. One White Phone identified as iPhone 6 Plus.
3. One EFCC Telephone / Computer ownership attestation form in the name of Afolabi Gafar.
4. A bunch of computer generated documents together with a Certificate of Identification.
5. Two Statements of Afolabi Gafar dated 17/9/20, and 12/10/20.
6. A UBA manager's cheque dated 3/8/21 issued in the name of EFCC for the sum of N28,000.00.

The Defendant having confirmed that his plea of guilty is in respect of the facts as reviewed by the prosecution and having considered the said facts together in the exhibits tendered in this case particularly exhibits 4 & 5, the court makes the provision of Section 280 of the Kwara State Administration of Criminal Justice Law, 2018 and hereby finds the defendant guilty as charged.

HON JUSTICE A.O. AKINPELU
JUDGE
22/11/2021

SENTENCE: The convict is sentenced to six months imprisonment with the option of the payment of a fine of ₦100, 000 (One Hundred Thousand Naira) in respect of count 1.

The convict is sentenced to 6 months imprisonment with the option of payment of fine of N150, 000 each on counts 2 & 3. (Sentences in respect of all the charges to run concurrently).

Exhibit 2 and 6 also having been linked to the crime are ordered to be forfeited to the Federal Government.

HON JUSTICE A.O. AKINPELU
JUDGE
22/11/2021

APPEARANCES:

A. A Jimoh (Mrs.) ACLO for the Defendant.

Andrew Akoja Esq. for the Prosecution.