

**IN THE HIGH COURT OF JUSTICE OF THE
FEDERAL CAPITAL TERRITORY ABUJA
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT JABI - ABUJA**

BEFORE: HON. JUSTICE O. C. AGBAZA

COURT CLERKS: UKONU KALU & GODSPower EBAHOR

COURT NO: 11

SUIT NO: FCT/HC/CR/218/2015

BETWEEN:

FEDERAL REPUBLIC OF NIGERIACOMPLAINANT

VS

1. RAYMOND DUKE HARUNA

2. DOVE HOUSE INVESTMENT LIMITED.....DEFENDANT

RULING

Under Cross-examination of DW1 by the Prosecution Counsel sought to question the DW1 of the contents of a document – Exhibit “T¹ - 8” specifically Para 8, thereof, against this the Defence Counsel is opposed to the line of questioning, on the grounds that the document which is an exhibit before the court speaks for itself and that it would be wrong for the Prosecution be allowed to read or interpreted into it.

The Prosecution Counsel on the other hand, contend that it is not intended to add or subtract from the content,rather to examine the witness on the contents of the document, and enable them assist the court to reach a just decision.

I have carefully considered the submission of both counsel. In the court's view, the issue is whether the witness can be questioned on a document, which is already before the court as an Exhibit. Granted, that a witness can be cross-examined to test his accuracy, veracity or credibility, in this instance, the Prosecution is seeking to ask the witness to speak to the document, in effect interpret it. It is the firm view of this court that the document already being an Exhibit is for the court to interpret it. It speak for itself and not for the Persecution to attempt to ask the witness to interpret it.

It is on this basis I hold that the objection of the Defence Counsel to this line of question is sustained; accordingly this question is hereby expunging from the records. I so hold.

HON. JUSTICE O. C. AGBAZA

Presiding Judge

9/10/2019

S.A. UGWUEGBULAM - FOR THE PROSECUTION

ADAMS IMUEKEMHE WITH KUBURAT MOMOH, DEBORAH OBAREIN - FOR THE DEFENDANTS