

be unnecessary to embark on full blown trial, hence the issue of fairness or unfairness regard of the hearing is of no moment. Hearing is foreclosed next and last procedural steps is to admit any evidence tendered by the prosecution and proceed to convict and sentence the defendant appropriately. See the case of SAMUEL AYO OMOJU Vs. FEDERAL REPUBLIC OF NIGERIA (2008) 7 NWLR (Pt.1085) 138.

At this juncture by the defendant plea of guilt he has relieved the court of rigorous, lengthy and time consuming trial and also earn him the possibility of him enjoying leniency and less stringent penalty. See the case of BAALO Vs. F. R. N (SC) 373/2012 (2016) NGSC 16 (3 JUNE 2016).

At this end by the combined provision of section 270 (9-10(a) and 11 of ACJA I adopt the plea bargain agreement of the parties, the defendant is hereby convicted and sentence as follows:

1. That the Defendant, Samson Obasa is presently standing trial before this Honourable Court in respect of offences of cheating filed by the Complaint.
2. That the Defendant has agreed to forfeit the sum of N1,600,000:00 (One Million Six Hundred Thousand Naira) being proceeds of his crime for the restitution of his victim, Toyota Avalon Car which he brought with the proceed of crime, a Samsung A7 Mobile Phone worth N200,000.00 (Two Hundred Thousand Naira) and Mac Book Pro used as instrumentalities of crime.
3. That the Defendant has shown great remorse for his actions forfeited the above listed items being proceeds of the crime which

gave rise to the charge before this Honourable Court to the Federal Government of Nigeria for restitution to their victims.

4. That the Defendant by his letter dated 19th March, 2021 applied to the prosecution for a plea bargain and the prosecution has agreed to the request as stated herein.
5. That the Defendant has also from the inception of the investigation up to the filling in Court cooperated with the Operatives of the EFCC (Complaint).
6. That there is also the need to avoid wastage of the precious Judiciary machinery, time and man power.
7. And whereas the foregoing seeks to achieve the Justice desired.
8. That terms of this agreement shall form and constitute the Judgment of this Honourable Court.
9. That no further charge shall arise against the Defendant in respect of this offence(s).

The defendant has pleaded guilty to the one count charge he is hereby convicted as charged.

I have taken due consideration to the plea made and hence the Defendant is remorseful, I shall treat him rightly. I believe he will keep to his promise not to go back to the crime again.

In the light of the above, the Defendant is hereby sentence to 2months imprisonment or with an option of payment of fine of N50,000:00 in herein.

All the proceed of the crime are hereby forfeited to the Federal Government of Nigeria.

This shall be the Judgment of this court. I so hold.

APPEARANCE

Aliyu Bokani Usman Esq. for the prosecution

Sternly Mduabuchi Ofoegbu Esq. for the defendant.

Sign

Hon. Judge

29/09/2021