

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

BEFORE: HIS LORDSHIP HON. JUSTICE S.U. BATURE

**COURT CLERKS: JAMILA OMEKE & ORS
COURT NUMBER: HIGH COURT NO. 24
CASE NUMBER: SUIT NO. FCT/HC/CR/319/2023
DATE: 5/6/2023**

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA.....COMPLAINANT

AND

TITUS MOSES.....DEFENDANT

JUDGMENT

APPEARANCES:

Defendant in Court.

Mary Onoja Esq for the prosecution.

A. S. Babalola Esq for the Defendant.

ONOJA ESQ:

The matter is for arraignment. We have a two Count Charge before the Court filed on 17th day of April, 2023.

We have filed an amended charge on 30th May, 2023 as well as a plea bargain agreement we humbly apply to substitute the two Count Charge with the amended charge filed on 30th May, 2023.

COURT:

Granted. The Charge filed on 17th April 2023 is hereby struck out.

ONOJA ESQ:

We apply that the amended charge be read to the hearing of the Defendant.

COURT:

The Count read to the hearing of the Defendant.

Defendant do you understand the Count?

DEFENDANT:

I understand the charge.

COURT:

How do you plead to the Count?

DEFENDANT:

I plead guilty.

ONOJA ESQ:

We apply to adopt the Plea Bargain Agreement filed by all parties.

DEFENDANT:

Yes, I am aware that there's a plea bargain agreement. Yes, I understand the terms of the plea bargain agreement. No, I was not coerced, nor forced to enter into the agreement. Yes, I signed the plea bargain Agreement.

ONOJA ESQ:

We urge the Court to convict the Defendant and sentence him accordingly based on the terms of the plea bargain Agreement.

COURT:

The Court having satisfied itself that the Defendant entered voluntarily into the plea bargain Agreement, it shall proceed to convict the Defendant accordingly.

CONVICTION

The Defendant having pleaded guilty to the offence charged, be and is hereby convicted for the offence of impersonation of a public servant contrary to and punishable under Section 132 of the Penal Code Law Cap 532, LFN, Abuja, 2004.

Signed:

***Hon. Justice S. U. Bature
5/6/2023.***

ALLOCUTUS

DEFENCE COUNSEL:

We pleaded for leniency, in sentencing. He's a first offender. He's a family man, with dependants and an aged mother.

He has gainful employment. We urge the Court to give him a second chance.

CONVICT:

I am here to pleaded for leniency.

ONOJA ESQ:

To my knowledge, he has no previous record of conviction.

SENTENCE

In passing this sentence, I've considered the Allocutus of both the learned Defence Counsel and that of the Convict as well.

I have also considered the plea bargain agreement signed by the parties dated 30th May, 2023 and the fact that the Convict is a first offender. He's sentenced to serve six months imprisonment or to pay a fine of N100, 000 to the Federal Government of Nigeria through the Economic and Financial Crimes Commission.

Signed:

***Hon. Justice S. U. Bature
5/6/2023.***