

IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY

IN THE ABUJA JUDICIAL DIVISION

HOLDEN AT NYANYA- ABUJA

THIS WEDNESDAY THE 6TH DAY OF NOVEMBER, 2024

BEFORE HIS LORDSHIP: HON. JUSTICE ALIYU YUNUSA SHAFI

SUIT NO: FCT/HC/GWD/CR/34/2024

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA.....COMPLAINANT

AND

EMMANUEL EDEH..... DEFENDANT

Court: this matter is for arraignment

Defendant present in court.

Appearance: S. N. Roberts for the prosecution EFCC.

E. M Ibrahim for the defendant.

Prosecution the matter is for arraignment. We Have an amended charge before the court. We Apply that the charge dated 26/3/2024 and filed on the 26/3/2024 be struck out.

Court: defendant counsel do you have any objection

Defendant No objection

Court: the oral application made by S. N. Robbert for the prosecution to the EFCC to strike out charge No FCT/HC/GWD/CR/34/2024 between FRN Vs Emmanuel Enoch is hereby granted and same applied with the amended charge No FCT/HC/GWD//CR/34/2024 dated the 24-10-2024

SIGNED

JUDGE

Prosecution: we apply that the amended charge be read and explained to the defendant.

Court: the charge is read and explained to the defendant. The defendant is called upon to reply to the said one count charge of the offence of attempted cheating by personation.

Court: defendant do you understand the said charge?

Defendant yes my Lord

Court: defendant are you guilty or not guilty.

Defendant I am guilty.

Prosecution: in view of the plea of guilty just entered by the defendant, we urge the court to convict and sentence the defendant accordingly.

CONVICTION

I am satisfied that the defendant having understood the content of the one count charge read and explained to him and admitted same knowing fully well the consequences of his admission, this court with adopt the admission of guilty made by the defendant and convict the defendant for the offence of attempt to cheat by personation, punishable under section 324 of the penal code and triable by this court.

Court: defendant (convict) two option before sentence

1. Plea of allocutus
2. Calling of witness to court to attest to your character

Which one do you prefer?

Defendant/convict I would like to plead

Allocutus I am sorry for involving myself in this kind of action it was as a result of peer groups and when I started it I saw that nothing comes out of it and had to stop it.

That he is a changed person and is now working. Asked the court to temper justice will mercy.

Defendant prayed the court to be lenient in sentencing the defendant who is now a changed person and promised not to go into crime again in his life.

That the defendant is a first time offender referred to section 416 (2)(d)(k)

Prosecution in the course of arrest and investigation, an iPhone 13 Pro was found in the custody of the convict.

We apply that the said iPhone 13 Pro be forfeited to the FRN through the prosecution agency of EFCC.

Court: sentencing

The convict being a first time offender, this court will be lenient to the convict hence the convict is hereby sentenced to a non-custodial sentence to clean the surrounding of the office of the EFCC from 12-3 strictly under supervision of the investigation office and the prosecution.

Secondly the offence upon which the convict was sentenced is an attempt, this court will order the EFCC to format the phone and hand it over to the convict with a promise not to ever use the phone for any crime.

.....

Hon Justice A. Y. Shafa