

**IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY**

**IN THE ABUJA JUDICIAL DIVISION**  
**HOLDEN AT GWAGWALADA- ABUJA**

**THIS TUESDAY THE 14<sup>TH</sup> DAY OF DECEMBER, 2023**

**BEFORE HIS LORDSHIP: HON. JUSTICE ALIYU YUNUSA SHAFI**

**SUIT NO: FCT/HC/CR/120/2023**

**BETWEEN:**

**FEDERAL REPUBLIC OF NIGERIA..... COMPLAINANT**

**AND**

**ADAMU ABDUL WAHAB (AKA CRAIG YOUNG)..... DEFENDANT**

Court: this matter is for arraignment.

Offence: section 321 of the penal code punishable under section 324 of the penal code.

Defendant: present in court

Appearance: R. U. Adagba for prosecution EFCC.

Defendant: Abdulkareem Musa for the defendant.

Prosecution: the matter is slated for arraignment. It is a one count charge dated and filed 7-12-2023, pray that the court read the one count charge to the defendant to enable take his plea.

Court: defendant do you have any objection.

Court: proceed

Court: the one court charge is read and explained to the defendant. the defendant called upon to reply to the said charge.

Court defendant do you understood the charge read and explain to you?

Defendant yes I did

Court: defendant are you guilty or not guilty?

Defendant I am guilty.

Prosecution: In view of the plea entered by the defendant pray that the defendant be convicted accordingly. We equally filed a plea bargain agreement signed by the defendant, defendant counsel, the prosecutor, and the investigating officer on the 5/12/2023 filed on the 7/12/2023.

In the course of investigation, the following proceeds and instruments were recovered

1. Iphone 12 promax.
2. HP Laptop Elite Book
3. 3 HP laptops
4. 1 grey colour Mercedes Bens C350 with registration No ABJ 450 dg Banz with charge No WDDGMS6X78FOSI993.

Pray the court to consider the terms of the plea bargain and that the instruments and proceed of crim be forfeited to the FGN through the EFCC. That the instrument of crime be auctioned and proceeds remitted to the FGN through the EFCC.

### CONVICTION

This court is acting pursuant to the provisions of section 310 of the ACJA 2015, I shall accept the guilty plea entered by the defendant, knowing the consequences of his plea.

In view of the forgoing I shall convict the defendant for the offence punishable under section 324 of the penal code law.

Allocutus:

I am not proud of my action, I am a tailor a professional and have three younger ones depending on me and anything should happen to me it will definitely affect my sibling. I want the court to temper Justice with mercy.

Defence counsel:

That I plead that the option of fine as contained on the plea bargain agreement should be adopted by the court in view of the fact that all the proceed of crime has been restituted to the commission.

Court: prosecution is there any record of previous conviction by the defendant to your knowledge

Prosecution none to my knowledge.

### SENTENCE

The convictone Adamu Abdul Wahab (aka Craig Young) was convicted for the offence of impersonation punishable under section 324 of the penal code. Upon his plea of guilt.

I have carefully listened to the allocutus raised by the defendant and the plea bargain agreement adopted by the prosecution where the prosecution urge the court to consider the plea bargain agreement in sentencing the defendant.

But before I proceed to sentence the convict based on the plea bargain agreement I have this to say.

Plea bargain is the process by which the prosecution and the defendant negotiate charging and sentencing concession in exchange for the defendant's guilt plea and waiver of right, A guilty plea must be voluntary, and intelligent, have a factual bases and be given by the defendant with the effective assistance of counsel upon entering a plea bargaining plea the defendant waives the privilege against self-incriminator, the right to confront once accusers, and the right to compulsory attendance of favourable witness. The aim or the main justification for plea bargaining is that it is necessary for continue justice system, and provide more flexibility in the prosecutor to take into account equitable factors in operator case, so that he or she can tailor punishment to the crime and to the person. it also allows the prosecutor to reward defendant who cooperate and to convict defendants where there is sufficient evidence. yet I can say that this very flexibility that supplies the prosecutor with his or her unlimited discretion given rise to potential abuses and injustices.

It also to be noted that the defendant pleads guilty to avoid harsh punishment and to obtain a more lenient sentence.

Therefore, by the allocutus made by the defendant and the adoption of the plea bargaining agreement I shall sentence the defendant based on the plea bargaining agreement.

Hence the defendant is hereby sentenced as follows:

1. The defendant is hereby sentenced to six months' imprisonment or an option of fine of N300,000.00(three hundred thousand naira only)
2. The iPhone 12 promax, HP Elite Book and three HP Laptops which are the instrument used for the commission of the crime, the grey Mercedes Benz C350 with Registration Number ABJ450 DGrecovered from the defendant is hereby forfeited to the Federal Government of Nigeria, and

the said items to be sold vide public auction and the proceed realized paid to the Federal Government of Nigeria vide EFCC recovery Account, receipt of the sale beforwarded to this.

3. The defendant/convict to depose to an affidavit of undertaking of good behaviour before this court.

.....  
**Hon. Justice A. Y. Shafa**