

IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY

IN THE ABUJA JUDICIAL DIVISION

HOLDEN AT GWAGWALADA- ABUJA

THIS TUESDAY THE 16TH DAY OF JULY, 2024

BEFORE HIS LORDSHIP: HON. JUSTICE ALIYU YUNUSA SHAFI

SUIT NO: FCT/HC/CR/618/2024

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA. COMPLAINANT

AND

ROHI KING.....DEFENDENT

Defendant present in court

Offence: section 95 of the penal code law

Appearance: F. I. Hemasani for the prosecution

C. .C. Ogboagu for the defendant.

Prosecution: before the court is a one count charge dated the 5/7/24 and filed on the 8/7/24.

The defendant understands English language and we apply that the charge be read to the defendant in order for him to take his plea.

The charge is read and explained to the defendant. The defendant is called upon to reply to the said charge.

Court: defendant do you understand the charge

Yes I do

Court; defendant are you guilty or not guilty

Defendant: I am guilty

Prosecution in view of the plea of the defendant, we apply that the defendant be convicted

CONVICTION

THE DEFENDANT IS HEREBY convicted for the offence of cheating by personation the offence punishable under section 324 of the penal code and triable by this court.

ALLOCUTUS

I am truly sorry and very remorseful and promise that once I get more chance, I will not go back to the crime again and will do what is right. 24 years old A Level graduate of Nasarawa State University Keffi, graduated in Dec, 2023 computer studies.

Defendant: on behalf of the defendant we pray for leniency. The defendant is a first time offender who has learned his bitter lesson and is very remorseful.

Upon the arrest of the defendant he cooperated with the investigating officer and he did not waste the time of this court.

Furthermore the defendant is a young man and he has aged parents who pray that the court be gracious and lenient by allowing the defendant to drink from the cup of mercy.

Prosecution: No record of conviction by the defendant known to me

That an Intel phone and a mac book pro model No. 2442 and MSI laptop with serial No. 19 was recovered and we pray that the instruments should be forfeited to the FGN through the office of EFCC

Case stood down for 10 minutes for sentence.

SENTENCE

I have carefully listened to the plea of allocutus made by the convict in addition to that of the convict counsel on his behalf and a careful perusal of the charge that led to the defendant's conviction is an attempt contrary to section 95 of the penal code law punishable under section 324 of the penal code. The penal code has declared

and explained what an attempt is which is punishable by the same offence as if the offence have been committed.

The convict before this court has shown a demonstration to the court as to his involvement in the crime and he is also remorseful. Thus the court will temper justice with mercy and will give the convict a non-custodial sentence instead of sending him to prison.

Hence the convict is sentenced to a non-custodial sentence for a period of two days at the EFCC office to clean the surroundings from 8am – to 2:pm from Wednesday to Thursday and the convict is to swear to an affidavit to be of good behavior for a period of two years.

The items are hereby forfeited to the FGN through the office of the EFCC.

.....

Hon. Justice A. Y. Shafa