

IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY

IN THE ABUJA JUDICIAL DIVISION

HOLDEN AT GWAGWALADA- ABUJA

DATED THIS 2ND DAY OF JULY, 2024

BEFORE HIS LORDSHIP: HON. JUSTICE ALIYU YUNUSA SHAFI

SUIT NO: FCT/HC/CR/005/2022

BETWEEN:

INSPECTOR GENERAL OF POLICE.....COMPLAINANT

AND

1. JOSEPH OMEGHA	}DEFENDANTS
2. GODSON OFORKOANSI		
3. MARTINS OKEKE.....		
4. JACOB ENEMUO		

COURT: this matter is for arraignment, the defendant is not in court.

Appearance: K. R. Abang for the prosecution

C. A. N Ikechukwu for the 1st defendant.

C. I. D. holding the brief of Azer Odeneye Obiora for the 2nd & 3rd defendant.

Prosecution: the matter was slated for arraignment

However we filed a motion dated the 22/5/2024. Parties have been served with the motion. The motion seeks the reliefs of this court to grant leave to the complainant to withdraw charge No 005/2003

Court: THERE IS NO OBJECTION

Prosecution seeks the permission of the court to move interms.

The motion No. M/843/2024 filed the same date. They seek the reliefs of this court for the complainant to withdraw charge No. 005/2023.

The motion is brought pursuant to section 108(1) & 2(a) of the ACJA 2015 and under the inherent power of this court.

Since the defendants are not opposing, we shall move in terms.

Court: the reliefs sought in motion No M/005/2023 between IGP V Joseph Omega & 3 ors is hereby granted

Hence acting under the provision of section 108(1) (2)(A) of the ACJA which provides thus.

In any trial or proceeding before the court a prosecution may, or on the instruction of the AGF on incase of offence against Acts of the N/A, may at any stage before judgment is promised withdraw the charge against any defendant either generally or in respect of one or more of the offences with which the defendant is charged.

Based on the foregoing charge No 005/2023 between IGP v Joseph Omega & 3 ors is hereby withdrawn and the defendant is discharged under section 108(2)9a) of the ACJA 2015.

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Hon. Justice A. Y. Shafa