

IN THE HIGH COURT OF THE GAMBIA

CRIMINAL CASE No: HC/496/11/CR/152/AO

BETWEEN:

THE STATE

COMPLAINANT

AND

REGNONI RENATO

ACCUSED PERSON

FRIDAY 4th NOVEMBER 2011

BEFORE HON. JUSTICE EMMANUEL A. NKEA

ACCUSED PERSON PRESENT

Mrs. A. D BWALA FOR THE STATE PRESENT

Mr. B.S.M CONTEH FOR THE ACCUSED PRESENT

JUDGMENT

Having pleaded guilty to the charge of defilement, I have listened to the plea for leniency, and I am touched by the fact that the convict has readily pleaded guilty and shown his resolve to be responsible for the upkeep of the victims. I find him to be repentant. Having considered the particular circumstances of this case, I am tempted to temper justice with mercy. I find it fitting in the circumstance, therefore, to invoke Section 29 (2) of the Criminal Code cited by Counsel in his favour. In view of the above I shall sentence the convict as follows:

EMMANUEL A. NKEA
JUDGE

1. Convict is sentenced to pay a fine of D15 000 on Count I in default to serve 5 years imprisonment with hard labour.

2. Convict is sentenced to pay a fine of D15 000 on Count II in default to serve 5 years imprisonment with hard labour.
3. Convict is sentenced to pay a fine of D5 000 on Count III in default to serve 1 year imprisonment with hard labour.
4. Convict is sentenced to pay a fine of D3 000 on Count IV in default to serve 1 year imprisonment with hard labour.
5. The above sentences to run concurrently.
6. The convict shall pay the medical bills and antenatal bills of Fatoumatta Mballow when consulted.
7. A DNA test to be conducted at the expense of the accused on the baby of Fatoumatta Mballow when she puts to birth to determine the paternity of the child.
8. If the DNA test confirms the convict as the father of the child, then the convict shall continue to maintain both mother and child, otherwise, the convict shall not be required to pay for the upkeep of the mother and child thereafter.
9. The Convict to pay FATOUMATTA MBALLOW compensation of D150 000 pursuant to Section 145 of the CPC as read together with Section 31 (2) of the Criminal Code in default convict to serve an additional 10 years imprisonment with hard labour.
10. There shall be no further Order.

ISSUED AT BANJUL, UNDER THE SEAL OF THE COURT AND THE HAND OF THE PRESIDING JUDGE THIS 14th DAY OF NOVEMBER 2011

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REGISTRAR