

UPPER SHARI'A COURT HAUSAWA, KANO

**PRESIDING HONOURABLE JUDGE
MALLAM ALIYU MUHAMMAD KANI**

CR/43/2020

COMMISSIONER OF POLICE

VS

SHARIF YAHAYA SHARIF

CONVICTION

I Aliyu Muhammad Kani Hausawa Upper Sharia Judge Kano hereby found you guilty for the offence of blasphemy against Prophet Mohammed (PBUH) contrary to section 382 (B) of the Kano State Shari'a Penal Code Law 2000 (which carries death sentence) and I convict you accordingly.

ALLOCUTUS

COURT: You have anything to say that may mitigate your sentence?

ACCUSED: I seek for mercy.

COURT: are you under influence of drugs?

ACCUSED: No.

JUDGMENT

This case was instituted by the police through an FIR on the allegation that one Sharif Yahya Sharif made a blasphemous statement against Prophet Mohammed (PBUH) in a WhatsApp Group which is contrary to section 382 (B) of the Kano State Shari'a Penal Code Law 2000.

This court registered the FIR as provided under section 126(a) of ACJL Kanon State 2019 and arraigned the Defendant under section 129(7) ACJL and the Defendant pleaded GUILTY to the charge.

The court further re-read the full allegations to the Defendant and he admitted committing the offence, but said it was a mistake he made.

In Sharia Law, there are ways of establishing guilt of a Defendant and among them are 2 witnesses or a voluntary confession. The Sharia provides that whoever makes a voluntary confession, that confession becomes binding on him.

The statement of the Defendant that he did the blasphemy by mistake will not avail him according to sharia law authorities.

Based on the above authorities, I rely on the case of DAN SHALLA VS STATE (2007) 12 MJSC53, the Court held that “The trite position of the law under sharia is that whoever insults, defames or utters words or acts which are capable of bringing into disrespectsuch a person has committed a serious crime which is punishable by death.”

Accordingly, I sentence you to death by hanging.

RIGHT OF APPEAL

Any aggrieved party may appeal this judgment from today 10th August 2020