URUKIKO RWISUMBUYE RWA NYARUGENGE RURI I NYARUGENGE RUHABURANISHA IMANZA Z'IMBONEZAMUBANO RUKIJIJE URUBANZA RC0622/15/TGI/NYGE NONE KUWA 24/03/016 MU BURYO BUKURIKIRA:

ABABURANYI:

UREGA:MUGUNGA Charles mwene KAREKEZI John na MURERWA Jeannette utuye mu umudugudu wa Gakoki, Akagari ka Gatenga, Umurenge wa Gatenga, Akarere Kicukiro, Umujyi wa Kigali.

ABAREGWA : KAMALI Kalegesa Ignace, MASUMBUKO Alexis, BONISHULI Clay, BONISHURI Evariste, SEBAGABO MUHIRE Barnabe na KAREMERA Eric batuye Umudugudu wa Taba, Akagali ka Rukatsa, Umurenge wa Kagarama, Akarere ka Kicukiro, Umujyi wa Kigali

IKIBURANYWA:

- Isambu ya MWITIZINA Leonard nazunguye aba bose bigabije bakubakamo amazu
- Indishyi z'umusaruro bavanyemo no kubyo basanzemo (urutoki, ikawa)zihwanye na miliyoni 50000000Rwf kuri buri wese.
- Indishyi z'ingurane zihwanye na miliyoni 70. 000. 000 Rwf cyangwa buri wese agakuramo ibikorwa bye yashyize muri iyo sambu.
- Amafaranga 5000000 Rwf y'ikurukiranarubanza n'igihembo cy'Avoka.

I. IMITERERE Y'URUBANZA

1. Charles yatanze ikirego mu Rukiko Rwisumbuye rwa Nyarugenge arega KAMALI Kalegesa Ignace , MASUMBUKO Alexis , BONISHULI Clay , SEBAGABO Bernabe KAREMERA Eric kuba baramurigabije isambu y'umuvandimwe we MWITIZINA Léonard kandi ariwe muzungura ngo abaregwa bakubakamo amazu atabizi ngo akaba arega asaba gusubizwa iyo sambu ye n'indishyi zitandukanye agaragaza mu mwanzuro we utanga ikirego.

2. Abaregwa batanze inzitizi isaba kutakira ikirego cya MUGUNGA Charles kuko Urukiko Rwisumbuye rwa Nyarugenge rudafite ububasha bwo kuburanisha ibirego by'amasambu bashingiye ku ngingo ya 1 y'itegeko ngenganº01/2015 ryo kuwa 05/05/2015 rihindura kandi ryuzuza itegeko ngenga nº51/2008 ryo kuwa 09/09/2008 rigena imiterere ,imikorere n'ububasha by'inkiko nk'uko ryahinduwe kandi ryujujwe kugeza ubu. MUGUNGA akavuga ko icyerekana ububasha bw'Urukiko ari agaciro k'ikiburanwa ngo akndi iyi sambu yahugujwe ifite agaciro karenga 5.000.000frws

3. Iburanisha ryabaye kuwa 21/03/2016, hitabye MUGUNGA Charles yiburanira, KAMALI Kalegesa Ignace, MASUMBUKO Alexis, BONISHULI Clay bahagarariwe na Me MUGENI Anita, BONISHURI Evariste, SEBAGABO MUHIRE Barnabe na KAREMERA Eric bahagarariwe na Me SHOSHI. Ikibazo gisuzumwa akaba ari ukumenya niba Urukiko Rwisumbuye rufite ubuabsha bwo kwakira ikirego cyerekeranye n'amasambu.

II.IKIBAZO KIGIZE URUBANZA N'ISESENGURA RYACYO

● **K**umenya niba Urukiko Rwisumbuye rufite ububasha bwo kwakira ikirego cyerekeranye n'amasambu.

4. Abaregwa batanze inzitizi isaba kutakira ikirego cya MUGUNGA Charles kuko Urukiko Rwisumbuye rwa Nyarugenge rudafite ububasha bwo kuburanisha ibirego by'amasambu bashingiye ku ngingo ya 1 y'itegeko ngenga N°01/2015 ryo kuwa 05/05/2015 rihindura kandi ryuzuza itegeko ngenga n°51/2008 ryo kuwa 09/09/2008 rigena imiterere ,imikorere n'ububasha by'inkiko nk'uko ryahinduwe kandi ryujujwe kugeza ubu, mu ngingo ya ryo ya 67 agace ka kabiri ivugako "inkiko z'ibanze ziburanisha mu rwego rwa mbere imanza zerekeye umutungo w'ubutaka n'amatungo n'izungura kuri ibyo bintu".

5. Bavuga ko ingingo ya 128 yo mu itegeko ngenga n°51/2008 ryo kuwa 09/09/2008 rigena imiterere ,imikorere n'ububasha by'inkiko nk'uko ryahinduwe kandi ryujujwe kugeza ubu mu gika cyayo cya nbere(1) ni cya (2) ivuga ko imanza zerekeye umutungo utimukanwa ziregerwa mu rukiko rw'aho uwo mutungo uri ko ibirego by'umugereka n'iby'indishyi zikomoka ku kirego cy'ishingiro bijyana n'ikirego cy'ishingiro. Abaregwa bemeza ko inkiko zifite ububasha kubirego birebana n'umutungo w'ubutaka n'izungura ryawo ari inkiko z'ibanze. Ko kandi ingingo ya 89 y'itegeko n°21/2012 ryo kuwa 14/06/2012 ryerekeye imiburanishirize y'imanza z'imbonezamubano ,iz'ubucuruzi ,iz'umurimo niz'ubutegetsi iteganyako "umuburanyi ubyukije inzitizi y'iburabubasha agomba kuyisobanura no kugaragaza urukiko avugako rufite ububasha bwo kumuranisha", bakaba basaba ko urukiko rwisumbuye rwa Nyarugenge rutaburanisha ikirego cyatanzwe na MUGUNGA Charles kuko rutabifitiye ububasha, ahubwo iki kirego kiri mu bubasha bw'urukiko rw'ibanze rwa Kagarama.

6. Urega avuga ko urukiko rwisumbuye rubifitiye ububasha kuberako ingingo ya 11 y'itegeko ngenga N° 02/2013 ryo kuwa 16/06/2013 CPCCSA iteganyako ikirego Kirebana n'imanza z'imitungo zifite agakiro karenze miliyoni ijana(100. 000. 000) ziburanishwa ninkiko z'isumbuye kandi akavugako uru rukiko rwanaburanishije urubanza rw'uwitwa SEBANTU Venerant RC0004/15/TGI/NYGE n'urubanza RCAA0018/13/CS rwa SEBUKAYIRE Tharcisse.

7. Urukiko rumaze gusuzuma ikirego ndetse n'ingingo z'amategeko zavuzwe haruguru, rusanze iki kirego kitari mu bubasha bw'Urukiko Rwisumbuye rwa Nyarugenge kuko mu ngingo ya ryo ya 67 agace ka kabiri ivugako "inkiko z'ibanze ziburanisha mu rwego rwa mbere imanza zerekeye umutungo w'ubutaka n'amatungo n'izungura kuri ibyo bintu".

8. Ibi rukabishingira ku kuba iyi ngingo yerekana neza ko amasambu yose mu kugena urukiko rufite ububasha bwo kwakira ibirego birebana nayo hatitabw aku gaciro kayo. Naho ibyo kuba hari imanza zaburanishijwe n'inkiko zisumbuye kandi zerekeranye n'amasambu, ibi ntibyashingirwaho mu kugera ububasha bw'urukiko kuko iki kirego cyatanzwe mu rukiko nk'uko bigaragazwa n'ibaruwa itanga ikirego ya MUGUNGA yasinyweho n'Ubuyobozi bwa gereza kuwa 31/08/2015 mu gihe iri tegeko ryashingiweho ryasohotse kuwa kuwa 05/05/2015, bivuga ko izi manza zindi ziburanishijwe n'inkiko zisumbuye zigifite ububasha kuko iri tegeko rishingiweho ubu ritari ryagasohoka.

III. ICYEMEZO CY'URUKIKO

9. Rwemeje kutakira ikirego cyatanzwe na MUGUNGA Charles
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10. Rutegetse ko amagarama y'urubanza aherera ku isanduku ya Leta kuko MUGUNGA Charles ari umufungwa.

NI UKO RUKIJIJWE KANDI RUSOMEWE MU RUHAME NONE KUWA 24/3/2016 MU RUKIKO RWISUMBUYE RWA NYARUGENGE RUGIZWE NA:

UMUCAMANZA	**UMWANDITSI**
UGILIMPUHWE Valentine	**NDATIMANA Narcisse**
Sé	**Sé**

ICYEMEZO CY'URUKIKO

Rwemeje kutakira ikirego cyatanzwe na MUGUNGA Charles

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Rutegetse ko amagarama y'urubanza aherea ku isanduku ya Leta kuko Mugunga ri umufungwa.

NI UKO RUKIJIJWE KANDI RUSOMEWE MU RUHAME NONE KUWA 24/3/2016 MU RUKIKO RWISUMBUYE RWA NYARUGENGE RUGIZWE NA:

UMUCAMANZA	**UMWANDITSI**
UGILIMPUHWE Valentine	**MUKAMASABO Rose**