URUBANZA RC 00938/2017/TGI/NYGE

URUKIKO RWISUMBUIYE RWA NYARUGENGE, RURI KU CYICARO CYARWO, RUHABURANISHIRIZA IMANZA Z`IMBONEZAMUBANO, RUKIJIJE URUBANZA RC 00938/2017/TGI/NYGE KU RWEGO RWA MBERE MU BURYO BUKURIKIRA:

ABABURANA:

UREGA: HAVUGIMANA Benoît mwene Ruhago na Nyiraminani, atuye mu Mudugudu w`Inkingi, Akagali ka Tetero, Umurenge wa Muhima, Akarere ka Nyarugenge. Aburanirwa na Me TWAYIGIZE Jean Claude

UREGWA: MURTAZA PYARALI MAWJI

IKIREGERWA: Gusaba ko urukiko rutegeka ko habaho iherererekanyamutungo

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I. IMITERERE Y`URUBANZA

[1] HAVUGIMANA Benoît yaguze inzu na MURTAZA PYARALI MAWJI kuwa 16/2/2016 iri mu kibanza kibaruwe kuri UPI:1/01/07/02/70 giherereye mu Mudugudu wa Nkundumurimbo, Akagari ka Munanira II, Umurenge wa Nyakabanda, Akarere ka Nyarugenge, Umujyi wa Kigali. Abo bombi bagiye mu buyobozi bw`ubutaka kuzuza inyandiko zihererekanya umutungo maze igihe byari byarangiye ubuyobozi busanga numero z`icyangombwa kiranga uwagurishije yari yarandikishije ku mutungo we zinyuranye n`ikindi gishya yari afite, ibyi bigaragara yaramaze kugenda, bituma iherererekanya ry`umutungo rihagarara, maze HAVUGIMANA yiyambaza Urukiko ngo abikorerwe. HAVUGIMANA yanasabye indishyi kubera kugana inkinko abitewe n`uwamugurishije wagiye bitararangira.

[2] Umunsi wo kuburana, uregwa ntiyitabye Urukiko, kuko yashakishijwe akabura, akagera ubwo ahamagazwa ahatazwi, n`urubanza rukaburanishwa adahari.

Muri uru rubanza rero hakwiye gusuzumwa niba HAVUGIMANA Benoît yakwandikwaho ubutaka nkuko abisaba. Hakwiye kandi gusuzumwa niba indishyi zisabwa n`urega yazihabwa.

II. ISESENGURA RY`IBIBAZO BIGIZE URUBANZA

Kumenya niba HAVUGIMANA Benoît yakwandikwaho ubutaka nkuko abisaba

[3] Me TWAYIGIZE Jean Claude avuga ko tariki ya 16.02.2016, MURTAZA PYARALI MAWJI yagurishije inzu ye iri mu kibanza UPI:1/01/07/02/70 giherereye mu Mudugudu wa Nkundumurimbo, Akagari ka Munanira II,Umurenge wa Nyakabanda, Akarere ka Nyarugenge, Umujyi wa Kigali na HAVUGIMANA Benoît ku kiguzi cy'amafaranga miliyoni cumi n'eshanu n'ibihumbi Magana atanu (15.500.000Frw).

[4] Me TWAYIGIZE avuga ko nyuma yo kugirana amasezerano, uwagurishije n'uwaguze, ku itariki ya 30.03.2016 bagiye bombi mu buyobozi bw'ubutaka mu Murenge wa Nyakabanda, buzuza impapuro zabugenewe zijyanye n'iherererekanya ry'ubutaka ndetse batanga n'ibyangombwa byose basaba ariko icyo gihe MURTAZA PYARALI MAWJI yatanze *Passport* ye nshya yari afite, mu gusuzuma basanga numero ziriho ntizihura n'izo yandikishije ku cyangombwa cy'ubwo butaka mbere, maze basaba ko yatanga *passport* ye ya kera kugira ngo barebe niba izo numero zihura. Me TWAYIGIZE vuga ko MURTAZA PYARALI MAWJI amaze kuzuza no gusinya iyo dosiye yo mu butaka yahise yimuka aho yari atuye, na telefoni yabonekagaho ntiboneke, maze numero ya *passport* ye ya kera irabura.

[5] Urukiko rusanga HAVUGIMANA agaragaza ibyangombwa yaguriyeho, ndetse anagaragaza inyandiko zari zakoreweho iherererekanwa ry`ubutaka ariko

bihagaraga habuze uwari wagurishije kuko nyuma yo kujya mu butaka ashobora kuba yaragizengo byararangiye, aho habonekeye ikibazo bagasanga yaramaze kujya ahandi hantu atakibarizwa aho yabaga. Ibi rero bikaba bituma HAVUGIMANA waguze umutungo we n`umugore we NIRERE Appolinarie bakwandikwaho umutungo wabo nkuko biteganywa n`ingingo ya 13 y`itegeka rya Minisitiri N° 002/2008 ryo kuwa 01/4/2008 rigena uburyo iyandikishwa ry`ubutaka rikorwa, aho riteganya ko Umubitsi w'Impapurompamo n'Ababitsi b'Impapurompamo bungirije mu mafasi babarizwamo, aribo bafite ububasha bwo gutanga ibyemezo by'umutungo bwite w'ubutaka. HAVUGIMANA Benoit nawe rero akaba akwiye guhabwa icyangombwa cy`umutungo we

Ku byerekeye indishyi zisabwa na HAVUGIMANA

[6] HAVUGIMANA Benoît asaba indishyi zo gushorwa mu manza n'igihembo cya avoka bingana na 2.000.000Frw, kuko ngo MULTAZA iyo aza kubahiriza inshingano ze neza aba atagiye mu nkiko.

[7] Ingingo ya 3 y`itegeko N°15/2004 ryo kuwa 12/6/2004 ryerekeye ibimenyetso mu manza n`itangwa ryabyo, ivuga ko buri muburanyi agomba kugaragaza ukuri kw`ibyo aburana.

[8] Urukiko rusanga nubwo HAVUGIMANA asaba indishyi nta kintu agaragaza yangirijwe biturutse ku bushake n`uwo arega, kuko ahubwo avuga ko bagiye guhererekanya ubutaka byarangira uwagurishije akagenda kuko yari n`umunyamahanga, ariko ikibazo kikavuka nyuma. Ibi bikaba bigaragaza ko nta mutima mubi uwagurishije yagize kuko na mbere hose bari bajyanye bajya guhinduranya umutungo. Bityo rero HAVUGIMANA ntiyahabwa

indishyi asaba ndetse n`igihembo cya Avoka akwiye kukitangira ku wamuburaniye.

III. ICYEMEZO CY`URUKIKO

[9] RWEMEJE kwakira ikirego cya HAVUGIMANA Benoît rugisuzumye rusanga gifite ishingiro;

[10] RUKIJIJE ko HAVUGIMANA Benoît atsinze;

[11] RUTEGETSE ko HAVUGIMANA Benoît yandikwaho umutungo yaguze wanditse kuri UPI:1/01/07/02/70 uherereye mu Mudugudu wa Nkundumurimbo, Akagari ka Munanira II, Umurenge wa Nyakabanda, Akarere ka Nyarugenge, Umujyi wa Kigali;

NI UKO RUKIJEJWE KANDI RUSOMEWE MU RUHAME, NONE KUWA 31/1/2018

Sé	**Sé**
BURAYOBERA UMUZAYIRE Bibiane	**SEKIMONYO U. Charlotte**
UMUCAMANZA	**UMWANDITSI**