



**Wakhisi v Republic (Criminal Revision 206 of 2024)
[2024] KEHC 11561 (KLR) (30 September 2024) (Ruling)**

Neutral citation: [2024] KEHC 11561 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL REVISION 206 OF 2024
DR KAVEDZA, J
SEPTEMBER 30, 2024**

BETWEEN

ROSEMARY WESONGA WAKHISI APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. This file was opened for purposes of considering whether the convict Rosemary Wesonga Wakhisi is suitable for consideration of her sentence review in the spirit of prison decongestion pursuant to the Chief Justice Memo dated 7th December 2022.
2. The applicant was convicted for the offence of trafficking in narcotic drugs contrary to section 4(a) of the *Narcotic Drugs and Psychotropic Substances (Control) Act* No. 4 of 1994. She was 10 years imprisonment in addition to paying a fine in default to serve an additional 1 year.
3. According to the Recommendation Report from prison dated 7th August 2024, the Applicant has been of good behaviour since her admission to prison. The Probation Report filed in court indicates that the applicant has been receptive to Rehabilitation programs while in prison. Additionally, the report indicates that the applicant is remorseful and prays that she be granted an early release. Furthermore, he has two (2) years and eight (8) months left in her sentence considering remission.
4. In view of the foregoing, it is my finding that the applicant is eligible for early release as the both the Probation and Prison Reports found in his favour. This, in my view, is sufficient sentence served by the applicant.
5. The applicant Rosemary Wesonga Wakhisi is released forthwith, and is directed to report to Kibera Probation Office for purposes of reintegration back into society.

Orders accordingly.



RULING DATED AND DELIVERED VIRTUALLY THIS 30TH DAY OF SEPTEMBER 2024

D. KAVEDZA

JUDGE

