



**Mukunya v Republic (Criminal Revision E506 of 2024)
[2024] KEHC 14693 (KLR) (25 November 2024) (Ruling)**

Neutral citation: [2024] KEHC 14693 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
CRIMINAL REVISION E506 OF 2024
PN GICHOHI, J
NOVEMBER 25, 2024**

BETWEEN

BEATRICE WANJIRU MUKUNYA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. This file has been brought up for Revision in order to decongest the Nakuru GK prison.
2. The Applicant (Beatrice Wanjiru Mukunya) was charged in Molo MCCR E995 of 2022 with the offence of;

Count I : Obtaining Money by false pretence contrary to Section 313 of the [Penal Code](#).

3. The particulars are that on 23rd Day of December, 2021 at Molo Town in Londiani Shopping Centre in Nakuru County, within the Republic of Kenya, with intent to defraud obtained a total sum of Kenya Shillings Five Hundred and Fifty Thousand (550,000/=) from Winny cherono Korir by falsely pretending that you were in a position to sell to her a parcel of land number Molo South/Ikumbi Block 8/213 (Murinduko) situated at Kuresoi North Sub County a fact you knew to be false or untrue.

Count II : Obtaining Money by false pretence contrary to Section 313 of the [Penal Code](#).

4. The particulars are that on 30th Day of November, 2021 at Nakuru in Nakuru County, within the Republic of Kenya, with intent to defraud obtained a total sum of Kenya Shillings Five Hundred Thousand (500,000/=) from Charles Ocharo Gesicho by falsely pretending that you were in a position to sell to him a parcel of land number Molo South/Ikumbi Block 8/213 (Murinduko) measuring approximate area of 0.5645 situated at Kuresoi North Sub County a fact you knew to be false or untrue.



5. She pleaded not guilty and proceeded on trial where she was found guilty and was sentenced to pay a fine of Ksh.200,000/- in default eighteen (18) months imprisonment on each count.
6. The Sentence Review Report by the Probation officer, Molo dated 19th November, 2024 found the Applicant suitable for Community Service. It is recommended that she be placed on Community Service Order to serve the remainder of her sentence at Nderi Police Station.
7. This case is suitable for Revision. The Applicant is now to serve the remainder thereof under Community Service Order at Nderi Police Station.
8. The terms will be explained to her.

DATED, SIGNED AND DELIVERED AT NAKURU THIS 25TH DAY OF NOVEMBER, 2024.

PATRICIA GICHOHI

JUDGE

In the presence of:

Mr. Kihara for Respondent

Ruto - Court Assistant

