



**Njeri v Republic (Revision Case E059 of 2023)  
[2023] KEHC 22081 (KLR) (22 August 2023) (Ruling)**

Neutral citation: [2023] KEHC 22081 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAKURU  
REVISION CASE E059 OF 2023  
HM NYAGA, J  
AUGUST 22, 2023**

**BETWEEN**

**HASSAN ABDI NJERI ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. This matter has been brought to me under the Prisons Decongestion Exercise being undertaken by this court.
2. The Applicant Hassan Abdi Njeri was convicted for the offence of Stealing contrary to Section 268 as read with Section 275 of the *Penal Code* and sentenced to serve 2 years imprisonment on 28<sup>th</sup> December 2022
3. He has so far served about 8 months in prison.
4. In the Sentence Review Report filed on 2<sup>nd</sup> August 2023 the Community Service Officer, N.O Nancy recommends community service.
5. According to the said Report the convict I a form 3 dropout who was still single and lived at home with his aunt. His aunt indicated her willingness to accommodate him. However, his mother is against this as she still fears for her life. The local administrator is also against his release stating that most f the people he wronged in the community are unwilling to forgive him and not welcoming of the idea of his release. The prison officers say he has been conducting himself well and has been deployed to the car wash section. The Applicant is remorseful and is willing to serve a non- custodial sentence.
6. In light of the above,I hereby exercise judicial discretion and decline to grant the plea for review. I order that the convict Hassan Abdi Njeri serve the remainder of the prison sentence forthwith unless otherwise lawfully held.



7. File closed.

**DATED, SIGNED & DELIVERED AT NAKURU THIS 22<sup>ND</sup> AUGUST, 2023.**

**H.M. NYAGA**

**JUDGE**

**In the presence of:**

C/A Jeniffer

Ms Murunga for state

