



REPUBLIC OF KENYA



**Ongonga v Republic (Criminal Revision E041 of 2022)  
[2022] KEHC 12815 (KLR) (8 August 2022) (Ruling)**

Neutral citation: [2022] KEHC 12815 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT SIAYA  
CRIMINAL REVISION E041 OF 2022  
RE ABURILI, J  
AUGUST 8, 2022**

**BETWEEN**

**STEPHEN ONYANGO ONGONGA ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

*(Being an Application seeking sentence review, arising from conviction and sentence in Bondo PM Magistrates' Court Criminal Case No. E163/2021 by Hon. S.W. Mathenge, Resident Magistrate on 6/4/2022 AND Siaya HC Criminal Revision No. E036 of 2021)*

**RULING**

1. I have perused the trial court record where the convict was sentenced to serve 2 years imprisonment for the offence of grievous harm contrary to section 234 of the *Penal Code*. The victim was a minor aged 6 years and he suffered near fatal injuries inflicted by the convict in domestic gender based violence incident, with his wife being the initial target. The convict applied to this court for sentence revision vide HCCR Revision E036/2021 but this court declined the request after perusing the sentence review report.
2. The sentence imposed on him was so lenient compared to the gravity of the offence which carries upto to life imprisonment.
3. The convict is due for release on March 1, 2023 but if he exhibits good behavior, he may have been released by July 2, 2022 on remission. No sentence review report is filed, nonetheless. The request may have been overtaken by events. It is declined.
4. This file is closed.

**DATED, SIGNED AND DELIVERED AT SIAYA THIS 8<sup>TH</sup> DAY OF AUGUST, 2022**

**RE ABURILI**



**JUDGE**

