



**REPUBLIC OF KENYA**

**HIGH COURT OF KENYA AT MILIMANI LAW COURTS**

**CRIMINAL DIVISION**

**MISCELLANEOUS CR. APP. CASE NO 45 OF 2020**

**STANLEY MWANGI.....APPLICANT**

**VERSUS**

**OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTION.....RESPONDENT**

**RULING**

The applicant STANLEY MWANGI, has filed an application herein dated 20.1.2020 seeking revision of the sentence meted out on him in Makadara Court Traffic case number 7443/2019 on 13.8.2019. In the said case, the applicant faced up to 6 counts and upon his own pleas of guilty on the 6 counts, was convicted and sentenced to a cumulative fine of Ksh.72,000/= or in default to serve concurrent sentences to run for up to 12 months.

The prosecution has not opposed this application noting that the charges/offences were minor traffic offences. It was conceded that the sentences could be reviewed.

I have considered the pleas of the applicant and the response of the prosecution side. It has been conceded that the applicant only faced minor traffic charges. He has been in custody from the date of sentence on 13.8.2019 about 10 months. In view of the nature of the charges the applicant was convicted of and the fact that the prosecution has not opposed this application, I allow this application. I discharge the applicant under section 354(2)(1) as the sentence he has served is sufficient. He is to be released from custody unless lawfully held. Orders accordingly.

**D. O. OGEMBO**

**JUDGE**

**19.6.2020**

**Court:**

The Ruling read out in court (Skype) in the presence of the applicant and Ms. Ndombi for the state.

**D. O. OGEMBO**

**JUDGE**

**19.6.2020**