

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

CRIMINAL DIVISION

CRIMINAL REVISION NO. 68 OF 2019

RODGERS MULULUBU JOHN.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

RULING

1. I have gone through the Probation Officer's Report that was filed before the trial court. I note that the Applicant is remorseful. He obtained the ID card so that he could secure a job. He did not intend to offend the law. Purely on humanitarian grounds, I shall review the sentence in his favour.

2. I set aside the sentence of three years and substitute it with an order that the Appellant has served sufficient sentence. I order that he be forthwith set free unless otherwise lawfully held.

DELIVERED AND DATED THIS 31ST DAY OF JULY 2019.

G.W. NGENYE-MACHARIA

JUDGE

In the presence of:

1. Applicant in person

2. M/s Akunja for the Respondent