



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT NAKURU**

**Criminal Appeal 119 of 2006**

**(From original conviction and sentence of the Resident Magistrate's Court at Maralal in**

**Criminal Case No. 50 of 2006 S. N. MBUNGI [S.R.M],**

**LANTOI LINGIRILAI.....APPELLANT**

**VERSUS**

**REPUBLIC.....RESPONDENT**

**JUDGMENT**

The appellant admits that she assaulted the complainant and caused him grievous bodily harm. She is not appealing against conviction. She is appealing against sentence. I have considered the grounds that she has put forward in her appeal. I have also considered the submission made by Mr. Njogu in opposition to her plea for reduction of sentence.

Taking into consideration the mitigating facts of this case and the fact that the appellant has already served one year and (4) months of her sentence, it is my humble view that the appellant has sufficiently been punished. The record reflects that she is a first offender. She has expressed remorse for her action. I hereby commute her sentence to the period already served. The appellant is ordered released from prison forthwith unless otherwise lawfully held.

**DATED at NAKURU this 19<sup>th</sup> day of SEPTEMBER 2007.**

**L. KIMARU**

**JUDGE.**