

REPUBLIC OF KENYA

THE HIGH COURT OF KENYA AT NAIROIBI

APPELLATE SIDE

HIGH COURT CRIMINAL APPEAL NO 300 OF 2001

(From Original Convictions(s) and sentence(s) Criminal Case No. 1193 of 1999 of the Chief Magistrate's Court at Nairobi)

PETER NDUNGU CHEGE.....APPELLANT

VERSUS

REPUBLIC.....RESPONDENT

J U D G M E N T

The learned counsel for the Republic concedes this appeal for reasons that he has laid before the court. With respect I agree. There was no justification whatsoever for the conviction. Accordingly this appeal is allowed, conviction quashed and sentence set aside. The appellant may have served sentence but these are the orders of the court.

Dated and delivered at Nairobi this 2nd day of May 2002.

MBOGHOLI MSAGHAJUDGE