



**Ombewa v Republic (Criminal Revision E1684 of 2024)
[2025] KEHC 1998 (KLR) (Crim) (6 February 2025) (Ruling)**

Neutral citation: [2025] KEHC 1998 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
CRIMINAL
CRIMINAL REVISION E1684 OF 2024
AM MUTETI, J
FEBRUARY 6, 2025**

BETWEEN

DAN OCHING OMBEWA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant was sentenced to serve 4 years imprisonment. He has so far served the greater part of the sentence and now remains with 8 months period to serve.
 2. This court in exercise of its powers of Revision under Section 362 – 365 of the *Criminal Procedure Code* has been invited to consider reviewing the sentence. The state is not opposed to the reduction of sentence and the prosecution counsel has urged the court to place the applicant on community service.
 3. This court has considered the rival submissions of parties and is minded to temper justice with mercy. The applicant has learnt his lesson in prison over the period he has been in custody.
 4. The court therefore considers it unnecessary to have him placed under community service looking into the circumstances.
 5. Consequently this court hereby reduces the term of 4 years imprisonment to the period already served.
 6. The applicant is to be released from prison custody immediately unless otherwise lawfully held.
- The file shall be closed.

DATED, SIGNED AND DELIVERED VIRTUALLY AT NAIROBI THIS 6TH DAY OF FEBRUARY 2025.

A. M. MUTETI



JUDGE

In the presence of:

Kiptoo: Court Assistant

for the Applicant

Ms Njoki for the Respondent

Applicant: Present

