



**Gikonyo v Republic (Miscellaneous Criminal Application
E011 of 2025) [2025] KEHC 1477 (KLR) (4 March 2025) (Ruling)**

Neutral citation: [2025] KEHC 1477 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
MISCELLANEOUS CRIMINAL APPLICATION E011 OF 2025**

DR KAVEDZA, J

MARCH 4, 2025

BETWEEN

CHARLES RUKUNGU GIKONYO APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant was charged and after a full trial convicted for two counts of offences: robbery with violence contrary to section 296(2) of the *Penal Code* and causing grievous harm contrary to section 234 of the *Penal Code*. He was sentenced to death in the first count and 3 years for the second count which was suspended. His appeal to this court and the court of appeal was dismissed.
2. He has filed the present application received on 5th February 2025 seeking sentence review. The grounds raised are that he has served a substantial term of his sentence. He is remorseful for the offence committed. He has undergone rehabilitation. He urged the court to revise the sentence of the trial court to a non-custodial sentence.
3. I have considered the application, the grounds in support and the applicable law. From the record of the trial court, the court considered the applicant's mitigation, and the fact that the applicant was a first offender before sentencing. Having considered the application in its totality. The sentence imposed was also legal in the circumstances of the case.
4. In my view I find no good cause or reason to revise the sentence imposed by the trial court given the aggravating circumstances of the case.
5. The application is dismissed for lacking in merit.

Orders accordingly.

RULING DATED AND DELIVERED VIRTUALLY THIS 4TH DAY OF MARCH 2025



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D. KAVEDZA

JUDGE

