



**Gathunya v Republic (Criminal Revision E318 of 2024)
[2024] KEHC 8980 (KLR) (23 July 2024) (Ruling)**

Neutral citation: [2024] KEHC 8980 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
CRIMINAL REVISION E318 OF 2024**

**PN GICHOHI, J
JULY 23, 2024**

BETWEEN

DANCUN GATHUNYA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. This file has been brought up for Revision in order to decongest the Nakuru GK prison.
2. The Applicant (Dancun Gathunya) was charged in Molo MCCR E304 of 2024 with the offence of Obtaining money by false pretences, contrary to Section 313 of the Penal Code.
3. The particulars are that on the 3rd day of January 2024 at Mungetho trading centre in Kuresoi North Sub County within Nakuru County, obtained Ksh.15,000/= the property of Janet Wanjiku by falsely claiming he was in a position to buy her five bags of 90 kgs of dry maize within three days. The facts he knew to be false.
4. He pleaded guilty and was sentenced to pay fine of Ksh.30,000/= in default six (6) months imprisonment.
5. The Sentence Review Report by the Probation officer has now confirmed that the Applicant has since served the sentence.
6. In the circumstances the application has been overtaken by events and file marked as closed.

DATED, SIGNED AND DELIVERED AT NAKURU THIS 23TH DAY OF JULY, 2024.

PATRICIA GICHOHI

JUDGE

In the presence of:



Mr. Kihara for Respondent

Probation officer

Ruto - Court Assistant

