



**Injagi v Republic (Criminal Revision 146 of 2024)  
[2024] KEHC 9900 (KLR) (19 July 2024) (Ruling)**

Neutral citation: [2024] KEHC 9900 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIBERA  
CRIMINAL REVISION 146 OF 2024**

**DR KAVEDZA, J  
JULY 19, 2024**

**BETWEEN**

**AGGREY MBAI INJAGI ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. This file was brought before me for the decongestion exercise pursuant to the Chief Justice’s memo dated 7/12/2022, which provides that inmates who are serving three (3) years imprisonment or less, or those serving long sentences but have a balance of three (3) years or less may be considered for non-custodial sentences.
2. I have gone through the file and noted that applicant was charged and convicted for the offence of robbery with violence contrary section 296(2) of the *Penal Code*. He was sentenced to death.
3. This case does not fall within the criteria given under the above-mentioned Chief Justice’s memo, hence cannot proceed under the decongestion program.
4. This court can only consider the matter if an application for sentence review has been filed.
5. I therefore decline to consider the release of the applicant under the decongestion exercise.

Orders accordingly.

**RULING DELIVERED THIS 19TH DAY OF JULY 2024.**

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**D. KAVEDZA**

**JUDGE**

