



**Ochoro v Republic (Criminal Revision 188 of 2024)
[2024] KEHC 10939 (KLR) (17 September 2024) (Ruling)**

Neutral citation: [2024] KEHC 10939 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL REVISION 188 OF 2024
DR KAVEDZA, J
SEPTEMBER 17, 2024**

BETWEEN

JAMES OCHORO 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 convicted by the trial court for the offence of grievous harm contrary to section 234 of the *Penal Code*. He was sentenced to serve four years imprisonment.
 3. A probation report was filed with respect to the applicant, indicating that he has four (4) months left to complete his sentence. According to the said report, the applicant has been receptive to rehabilitation programs and is remorseful about committing the offence.
 4. The findings in the probation report are in favour of the applicant and I accordingly find that he can benefit from a non-custodial sentence.
 5. I therefore order that the applicant be placed on community service for three (3) months at Baba Dogo Health Center, under the supervision of the Officer in Charge, Makadara Probation Station.
 6. File closed.
- Orders accordingly.



RULING DELIVERED THIS 17TH DAY OF SEPTEMBER 2024.

D. KAVEDZA

JUDGE

