



**Mwangi v Republic (Miscellaneous Criminal Application  
E078 of 2024) [2024] KEHC 12247 (KLR) (14 October 2024) (Ruling)**

Neutral citation: [2024] KEHC 12247 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIBERA  
MISCELLANEOUS CRIMINAL APPLICATION E078 OF 2024**

**DR KAVEDZA, J  
OCTOBER 14, 2024**

**BETWEEN**

**HARRISON KARIUKI MWANGI ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The applicant was charged and after a full trial convicted for the offences of robbery with violence contrary to section 296(2) of the Penal Code and rape contrary to section 140 of the Penal Code. He was sentenced to death. His sentence was commuted to life imprisonment.
2. He has filed the present application dated 4<sup>th</sup> June 2024 seeking revision of sentence. 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, the time spent in remand custody 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 dismissed for lacking in merit.

Orders accordingly.

**RULING DATED AND DELIVERED VIRTUALLY THIS 14<sup>TH</sup> OCTOBER 2024**

.....



**D. KAVEDZA**  
**JUDGE**

