



**Sang v Republic (Criminal Appeal E086 of 2022)  
[2023] KEHC 20197 (KLR) (19 July 2023) (Ruling)**

Neutral citation: [2023] KEHC 20197 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAKURU  
CRIMINAL APPEAL E086 OF 2022  
HK CHEMITEI, J  
JULY 19, 2023**

**BETWEEN**

**CALVIN KIPRONO SANG ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The applicant was convicted of the offence of obtaining money by false pretence and sentence to serve two years’ imprisonment on September 9, 2022 in Molo Criminal Case No 2383 of 2019. He filed in this court namely appeal number E086 of 2022 against the said lower court judgement.
2. While the appeal was pending he filed this application received in court on September 19, 2022 praying that the sentence be reviewed so that he could be placed under probation and that the period he has served be considered.
3. In the supporting affidavit he stated that he has learn a lifelong lesson and shall not repeat the same mistake.
4. The court reckons that he was a first offender and the trial court rightfully handed him appropriate sentence. This court taking into account the period he has been in custody is of the considered view that he has learn enough lessons not to con other people anymore.
5. In the premises, the applicant is hereby set free unless otherwise held and the period remaining he shall serve under probation as shall be guided by the relevant probation office.
6. The appeal number E086 of 2022 is marked as abandoned.

**DATED SIGNED AND DELIVERED VIA VIDEO LINK AT NAKURU THIS 19<sup>TH</sup> DAY OF JULY 2023.**



**H K CHEMITEI**  
**JUDGE**

