



**Wanjohi v Republic (Revision Case E561 of 2022)  
[2023] KEHC 20956 (KLR) (24 July 2023) (Ruling)**

Neutral citation: [2023] KEHC 20956 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAKURU  
REVISION CASE E561 OF 2022  
SM MOHOCHI, J  
JULY 24, 2023**

**BETWEEN**

**CHRISTOPHER MWANGI WANJOHI ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The Applicant moved Court for sentence review having been convicted on his own plea for the offence of breaking into a dwelling house contrary to Section 279(6) of the Penal Code and an alternative charge of handling stolen goods contrary to Section 322 (1), (2) of the Penal Code.
2. The Applicant is currently serving an imprisonment sentence of three and a half years (3 ½ years).
3. A favourable sentence review report filed on January 17, 2023 signed by Salim AG Probation Officer.
4. The Court has called for and reviewed the entire proceedings in Nakuru CM's Criminal Case No E1309 of 2022 with a view of satisfying itself as to the correctness, legality and propriety of the sentence.
5. While the Court noted the Applicant's mitigation it disregarded the same finding that the offence was serious and rampant in the area calling for deterrent sentencing. The Court finds the same to have been prejudicial.
6. The Court allows the application; the sentence of imprisonment is hereby varied and set aside.
7. The Applicant shall serve at Kiarithaini Primary School, Community Service Orders for a period of 6 months.  
The Probation Officer Nakuru County to ensure compliance.
8. It is so ordered.



**SIGNED, DATED AND DELIVERED IN OPEN COURT AT NAKURU ON THIS 24<sup>TH</sup> JULY 2023**

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**Mohochi S.M**

**JUDGE**

In the presence of: -

Court Assistant – Schola

State Counsel – Ms. Mburu

