



**Gitonga v Republic (Criminal Revision E151 of 2024)  
[2024] KEHC 13320 (KLR) (4 November 2024) (Ruling)**

Neutral citation: [2024] KEHC 13320 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIBERA  
CRIMINAL REVISION E151 OF 2024  
DR KAVEDZA, J  
NOVEMBER 4, 2024**

**BETWEEN**

**PETER KIHUNGA GITONGA ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The applicant was charged and after a full trial convicted for the offence of Trafficking in narcotic drugs contrary to section 4(a) of the *narcotic Drugs and Psychotropic Substances (control) Act* No.4 of 1994. He was sentenced to a pay a fine of Kshs. 15 million, in default, 12 months imprisonment. In addition, he was sentenced to serve eighteen (18) years imprisonment.
2. He has filed the present application received on 1<sup>st</sup> October 2024 seeking revision of sentence imposed. The grounds raised are that he has a young family dependant on him. He is remorseful for the offence committed. He regrets his misinformed venture that ultimately landed him in prison. He urged the court to revise the sentence of the trial court and consider the time spent in remand.
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.
5. The application dismissed for lacking in merit.

Orders accordingly.

**RULING DATED AND DELIVERED VIRTUALLY THIS 4<sup>TH</sup> NOVEMBER 2024**



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

