



**Otieno v Republic (Criminal Revision 285 of 2024)  
[2024] KEHC 15868 (KLR) (17 December 2024) (Ruling)**

Neutral citation: [2024] KEHC 15868 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIBERA  
CRIMINAL REVISION 285 OF 2024  
DR KAVEDZA, J  
DECEMBER 17, 2024**

**BETWEEN**

**GREGORY OTIENO ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The applicant was charged and convicted of the offence of grievous harm contrary to section 234 of the [Penal Code](#). He was sentenced to serve five (5) years imprisonment.
2. He has filed the present undated application received on 15<sup>th</sup> November, 2024 seeking revision of sentence. The grounds raised are coalized as follows; that the trial court failed to consider the time spent in remand custody.
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, and the fact that the applicant was a first offender and the time spent in remand custody 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 17<sup>TH</sup> DECEMBER 2024**

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**D. KAVEDZA**

**JUDGE**

