



Lukwiso v Republic (Miscellaneous Criminal Application E124 of 2024) [2025] KEHC 14354 (KLR) (14 October 2025) (Ruling)

Neutral citation: [2025] KEHC 14354 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KAKAMEGA
MISCELLANEOUS CRIMINAL APPLICATION E124 OF 2024**

**AC BETT, J
OCTOBER 14, 2025**

BETWEEN

ALI CHIBWILE LUKWISO APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The Applicant was convicted for the offence of obtaining money by false pretences contrary to Section 313 of the Penal Code and Impersonation contrary to Section 382 (1) of the Penal Code. Both offences are felonies that attract three (3) years imprisonment. However, I note that both convictions arose from the same transaction. Since the Republic is not opposed to the application for review of the sentence, it is hereby allowed. The orders of the trial court directing that the sentences do run consecutively are hereby set aside and substituted with an order that the sentences do run concurrently.
2. On the second limb of the application, the record reflects that the Applicant was arrested on 21/8/2022. He was released on bond on 1/11/2022. The said days should be counted and taken into account in computing the sentence in accordance with Section 333 of the Criminal Procedure Code. Those are the orders of the court.
3. The file is now closed.

DATED, SIGNED AND DELIVERED AT KAKAMEGA THIS 14TH DAY OF OCTOBER 2025.

**A. C. BETT
JUDGE**

In the presence of:

Applicant in person



Ms. Chala for the Prosecution

Court Assistant: Polycap

