

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT MAKADARA
MISC. CRIMINAL APP. NO E033 OF 2025

GEORGINA CHALETE WANGUMBA.....
APPLICANT

VERSUS

REPUBLIC
PROSECUTOR

RULING

Whereas the court has no jurisdiction to grant the orders sought by the applicant, in view of the provisions of Article 159 of the Constitution sub-clause (d) which requires that justice shall be administered without undue regard to procedural technicality, having taken into account the fact that the principal offender the Nigerian who introduced the applicant to the trade of drug has been released, I hereby extend the door of mercy to the applicant on the account of the interest of her two children who she left at home.

I have also taken into account the report from the prison department on her change in life and the reformation thereof.

I therefore allow the application herein and reduce the applicant sentence to the period served.

The applicant shall be set free on conditions that she does not commit a similar offence in future and to be assisted through the prison welfare department in setting up a small business/trade while she settles in the rural home. And it is so ordered

Dated this 2nd day of October 2025.

**Hon. Justice Wakiaga
JUDGE**

ORIGINAL JUDGMENT