



**Nganga v Republic (Criminal Revision E116 of 2025)
[2025] KEHC 16814 (KLR) (14 November 2025) (Ruling)**

Neutral citation: [2025] KEHC 16814 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIAMBU
CRIMINAL REVISION E116 OF 2025
A MSHILA, J
NOVEMBER 14, 2025
(KIAMBU HIGH COURT CRIMINAL CASE NO. 2 OF 2018)**

BETWEEN

MERCY MUTHONI NGANGA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. Mercy Muthoni Nganga was charged with the offence of Manslaughter contrary to Section 202 as read with Section 205 of the Penal Code.
2. A brief outline of the case was that the Applicant pleaded guilty and was convicted and sentenced on 28/08/2024; The sentence imposed was Fifteen (15) years imprisonment and she was granted the benefit of Section 333(2) which led to six (6) years being deducted from the sentence.
3. By an application dated 18/03/2025 the Applicant requested this Court to revise the order and allow for an additional eight (8) months be deducted from the sentence imposed;
4. This Court has perused the court record and the date of arrest is stated as being 12/12/2017 and the date of sentencing was 28/08/2024; this translates to a period of Six (6) years Eight (8) months and Sixteen (16) days; and as prayed for in the application this Court being the trial court is vested with powers to review and revise its own orders where there are errors apparent in calculation of the time spent in custody during the pendency of the trial.
5. Under the provisions of Section 333(2) of the Criminal Procedure Code and also under the Judiciary Sentencing Policy Guidelines a convicted person is entitled and has a right to the consideration of the time already spent in custody from the date of arrest to the time of passing sentence



6. In the light of the above circumstances this court is satisfied that this is a suitable case for it to exercise its powers of revision; The order of 28/08/2024 is hereby revised to read as follows;

(ii) The period spent in remand of six (6) years and eight (8) months be deducted from the sentence.”

Orders accordingly.

DATED, SIGNED AND DELIVERED VIA TEAMS AT KIAMBU THIS 14TH DAY OF NOVEMBER, 2025.

A. MSHILA

JUDGE

Uploaded in the presence of:

Sanja – Court Assistant

Applicant present at Lang’ata Women Prison

N/A by Gacharia for Respondent

