



**Angwenyi v County Criminal Officer Narok & 2 others (Civil Miscellaneous E002 of 2025) [2026] KEHC 1726 (KLR) (13 February 2026) (Ruling)**

Neutral citation: [2026] KEHC 1726 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAROK  
CIVIL MISCELLANEOUS E002 OF 2025  
CM KARIUKI, J  
FEBRUARY 13, 2026**

**BETWEEN**

**GEOFFREY MATONDA ANGWENYI ..... APPLICANT**

**AND**

**COUNTY CRIMINAL OFFICER NAROK ..... 1<sup>ST</sup> RESPONDENT**

**DIRECTOR OF PUBLIC PROSECUTION NAROK ..... 2<sup>ND</sup> RESPONDENT**

**ATTORNEY GENERAL ..... 3<sup>RD</sup> RESPONDENT**

**RULING**

1. Through an application dated 15 January 2021, the applicant asks the court to prevent the 1st and 2nd respondents from starting any criminal proceedings against him until ELC Suit No. 143 of 2023, currently before the Chief Magistrate’s Court in Narok, is fully heard and decided, including the issue of costs.
2. The applicant grounds his plea in the ongoing dispute before the Chief Magistrate’s Court in Narok, ELC No. 143 of 2023, urging the court to pause any criminal proceedings until the civil case reaches its conclusion.
3. To support his application, Geoffrey Matonda Angwenyi swore an affidavit on the same day, echoing the reasons detailed in his request.
4. IP Kennedy Odhiambo from the DCI Narok County Office challenged the application in an affidavit sworn on 23 January 2025, explaining that the DCI is actively investigating claims of forcible entry and forcible detainer, as outlined in sections 90 and 91 of the Penal Code, relating to the ownership of land parcel Narok/township/57 in Narok Township.
5. The complainant, Farid Issak Musa, claimed that Geoffrey Angwenyi was unlawfully holding onto plot Narok/township/57 and called upon the police to intervene.



6. The investigation was set in motion when the complainant visited the DCI offices in Narok, gave a statement, brought forward witnesses, and handed over supporting documents.
7. Subsequently, the applicant was summoned to present his own statement and submit documents to back his claim to parcel Narok on 14 January 2025, the applicant responded to the police summons but declined to give a statement, explaining that he did not have the ownership documents at hand and asked for an extra day to provide them. Three days later, on 17 January 2025, the DCI received a formal application from the Narok High Court in HCCCMISC E002/2025, listing DCI-CCIO Narok as the 1st respondent in the ongoing investigation, as provided for by Article 247 of *the Constitution* of Kenya and the *National Police Service Act*, 2011.vice Act, 2011.
8. The 1<sup>st</sup> respondent’s investigation does not violate the applicant’s constitutional rights or affect his ongoing civil case. Initiating and conducting criminal investigations is a fundamental responsibility of the Kenyan police. The Directorate of Criminal Investigations (DCI) is mandated to investigate all serious criminal cases in accordance with the law.
9. Analysis And Determination
10. This mandate is established by Article 247 of *the Constitution* of Kenya and the *National Police Service Act* 2011, which designates the DCI as an organ of the National Police Service under the Inspector General. The DCI’s core functions include detecting, preventing, and investigating crime, especially serious offenses such as homicide, narcotics offenses, human trafficking, money laundering, terrorism, economic crimes, piracy, organized crime, and cybercrime. The DCI is also responsible for maintaining law and order and performing any other functions conferred by written law.
11. The DCI serves as a key guardian of the rule of law, ensuring fairness and equal treatment for everyone. Its mandate demonstrates a dedication to justice and the safeguarding of human rights in Kenya.
12. In the case of *Karimi Njeru v The Republic* (1976-1980) KLR 1272, Anarita the court held that
 

“If a person is seeking redress from the High Court on a matter which involves a reference to *the Constitution*, it is important (if only to ensure that justice is done to his case) that he should set out with a reasonable degree of precision that of which he complains, the provisions said to be infringed, and the manner in which they are alleged to be infringed.”
13. The applicant has not established on prima facie basis that, that the process of investigating and starting criminal proceedings infringes or threatens to infringe any constitutional provisions and in which manner. Thus, the grounds set out herein have not met the constitutional standards set out in that decision of Anarita Karimi above.
14. In Conclusion:
15. The applicant has not clearly stated a specific grievance regarding the investigation or criminal proceedings, nor has he pointed out which constitutional rights were allegedly breached or explained how any violation occurred or might occur. As a result, the application is found to lack merit and thus court makes the order.
  - i. The application is dismissed, with no order as to costs.

**DATED AND DELIVERED AT NAROK VIA MICROSOFT TEAMS THIS 13<sup>TH</sup> DAY OF FEBRUARY, 2026.**

.....



**CHARLES KARIUKI**  
**JUDGE**

