

**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT KIBERA**  
**CRIMINAL REVISION NO. 52 OF 2026**

JOHN THUITA NJARI.....APPLICANT

VERSUS

REPUBLIC.....  
.....RESPONDENT

**RULING**

1. This file was opened for purposes of considering whether the convict John Thuita Njari is suitable for consideration of his sentence review in the spirit of prison decongestion pursuant to the Chief Justice Memo dated 7<sup>th</sup> December 2022.
2. The applicant was charged with and convicted of the offence of robbery with violence contrary to section 296(2) of the Penal Code. Upon conviction, he was sentenced to death. That sentence was subsequently commuted to life imprisonment and was later reviewed to a determinate custodial sentence of thirty (30) years.
3. From the record, the offence for which he was convicted is of a grave and violent nature, warranting continued incarceration in accordance with the sentence imposed. It is evident that the offence committed was serious and attended by aggravating circumstances which justified the sentence meted out by the trial court.
4. Having considered the nature and gravity of the offence, this Court finds that the applicant does not qualify for consideration under the prison decongestion or early release programme.  
Orders accordingly.

**Ruling dated and delivered virtually this 9<sup>th</sup> April  
2026**



**D. KAVEDZA**

**JUDGE**

ORIGINAL