



**Ngare v Republic (Criminal Revision E028 of 2026)
[2026] KEHC 6398 (KLR) (13 May 2026) (Ruling)**

Neutral citation: [2026] KEHC 6398 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL REVISION E028 OF 2026**

**DR KAVEDZA, J
MAY 13, 2026**

BETWEEN

GLADYS WAMUYU NGARE APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant was charged and after a full trial convicted for the offence of stealing by servant contrary to section 281 of the Penal Code. She was sentenced to serve four (4) years imprisonment.
2. Aggrieved, the applicant filed the present application dated 12th March 2026 seeking a review of her sentence. She contends that, the sentence serve has been sufficient rehabilitation. She is of advances age. Her suffers from severe back pain requiring constant medical attention. The sentence imposed was harsh and excessive. She prayed for a non-custodial sentence.
3. The Court called for a probation report, which was favourable. Upon consideration of the report, the Court finds the applicant eligible for a non-custodial sentence.
4. The four-year custodial sentence is hereby set aside and substituted with an order of Probation for a period of two (2) years under the supervision of Kibera Probation Officer.

Orders accordingly.

RULING DATED AND DELIVERED VIRTUALLY THIS 13TH DAY OF MAY 2026

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D. KAVEDZA

JUDGE

