



**Ndungu v Republic (Criminal Revision E270 of 2024)  
[2025] KEHC 602 (KLR) (30 January 2025) (Ruling)**

Neutral citation: [2025] KEHC 602 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAKURU  
CRIMINAL REVISION E270 OF 2024  
PN GICHOHI, J  
JANUARY 30, 2025**

**BETWEEN**

**PETER KARIUKI NDUNGU ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. This file has been brought up for Revision in order to decongest the Nakuru GK prison.
2. The Applicant (Peter Kariuki Ndungu) was charged in Molo MCCR E259 of 2024 with the offence of;

**Count I**

3. House Breaking contrary to Section 304 (1) (b) of the *Penal Code*.
4. The particulars are that on the 28<sup>th</sup> day of January, 2024 at Tayari area, in Molo Sub-County within Nakuru County, broke and entered a dwelling house with intent to commit a felony namely theft.

**Count II**

5. Stealing from a dwelling house contrary to Section 279 (b) of the *Penal Code*.
6. The particulars are that on the 28<sup>th</sup> day of January, 2024 at Tayari area, in Molo Sub-County within Nakuru County, stole five bags of dried maize worth and assorted foodstuff all valued at Ksh.50,000/= the property of one Dorcus Wambui.

**Count III**

7. Handling stolen goods contrary to Section 322 (1) (2) of the *Penal Code*.



8. The particulars are that on the 28<sup>th</sup> day of January, 2024 at Tayari area, in Molo Sub-County within Nakuru County, otherwise than in the cause of stealing, dishonestly retained 10 kgs of dried maize packed in a white sack having reasons to believe them to be stolen property.
9. He pleaded guilty and was sentenced one (1) year imprisonment.
10. The Sentence Review Report by the Probation officer, Molo dated 16<sup>th</sup> December, 2024 has now confirmed that the Applicant has fully served his sentence.
11. In the circumstances the application has been overtaken by events and file marked as closed.

**DATED, SIGNED AND DELIVERED AT NAKURU THIS 30<sup>TH</sup> DAY OF JANUARY, 2025.**

**PATRICIA GICHOHI**

**JUDGE**

In the presence of:

Ms Emma Okok for Respondent

Ruto - Court Assistant

