



**Makaria & 2 others v Republic (Criminal Revision 331 of 2024)
[2025] KEHC 3748 (KLR) (26 March 2025) (Ruling)**

Neutral citation: [2025] KEHC 3748 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL REVISION 331 OF 2024
DR KAVEDZA, J
MARCH 26, 2025**

BETWEEN

RICHARD MAKARIA 1ST APPLICANT

BRIAN ODUOR OTIENO 2ND APPLICANT

ROBERT SWATCH 3RD APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. This file was opened for purposes of considering whether the convicts Richard Makaria, Brian Oduor Otieno and Robert Swatch are suitable for consideration of their sentence review in the spirit of prison decongestion pursuant to the Chief Justice Memo dated 7th December 2022.
2. The applicants were convicted of three counts of assault causing bodily harm, contrary to Section 251 of the [Penal Code](#). For each count, they were sentenced to serve one year in prison, with the sentences ordered to run concurrently. The sentences were to commence from the date of their arrest, which was on 10th May 2022.
3. As a result, the applicants have now completed their sentences, having served the full term of imprisonment. They are no longer under incarceration for the offenses they were convicted of.

RULING DATED AND DELIVERED VIRTUALLY THIS 26TH DAY OF MARCH 2025

D. KAVEDZA

JUDGE

