



REPUBLIC OF KENYA



KENYA LAW
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**Wambuga v Republic (Criminal Revision 31 of 2024)
[2024] KEHC 3945 (KLR) (24 April 2024) (Ruling)**

Neutral citation: [2024] KEHC 3945 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL REVISION 31 OF 2024
DR KAVEDZA, J
APRIL 24, 2024**

BETWEEN

GEORGINA CHALETE WAMBUGA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant with another not before this court were charged and after a full trial convicted for the offence of trafficking in narcotic drugs contrary to section 4 (a) of the *Narcotic Drugs and Psychotropic Substances (Control) Act*, No. 4 of 1994. She was sentenced to pay a fine of Kshs. 1,500,000, in default to serve 1-year imprisonment. In addition, she was sentenced to seven years imprisonment. The sentence was however reduced by twenty (20) months in consideration of the time spent in pre-trial custody.
2. On 25th January 2024, she filed an application seeking sentence review. The grounds raised are that since her incarceration, she has been rehabilitated. She urged the court to consider her mitigation. In addition, the time spent in custody is adequate incarceration.
3. From the record, the applicant filed an appeal against his conviction and sentence which was heard and determined by this court on 8th December 2023. In the circumstances, the right forum for the applicant is the Court of Appeal. As such, the application is dismissed. The applicant is directed not to file any other application without leave of court.

RULING DATED AND DELIVERED VIRTUALLY THIS 24TH DAY OF APRIL 2024

D. KAVEDZA

JUDGE

