

THE STATE

Versus

LEORNARD CHIKWATURA

IN THE HIGH COURT OF ZIMBABWE
CHEDA AJ
BULAWAYO 22 MARCH 2012

Review Judgment

CHEDA AJ: The accused was convicted of numerous counts of unlawful entry into premises and theft. He had pleaded guilty.

In sentencing the accused the trial court treated the counts separately imposing a suspended sentence on each count.

As a result the accused ended up with nine (9) suspended sentences on the same conditions. This is most undesirable.

The total of the suspended sentences is of 22 months. The proper approach is for the trial court to add together the sentences and suspend a portion of total instead of suspending a portion of each sentence.

The sentence is amended as follows.

Of the total of 6 years 10 months imprisonment with labour 22 months imprisonment with labour is suspended on the same conditions imposed by the trial court.

Kamocha J I agree