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**COMMONWEALTH OF THE BAHAMAS**

**IN THE COURT OF APPEAL**

**MCCrApp & CAIS No. 82 of 2021**

**Robin Jeantil**

Appellant

vs

**The Commissioner of Police**

Respondent

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**MCCrApp & CAIS No. 82 of 2021**

**Rechard Charles**

aka

**Richard Charles**

Appellant

vs

**The Commissioner of Police**

Respondent

(Substantive Appeal)  
(Reasons Reserved)

Before: The Hon Madam Justice Crane-Scott, JA  
The Hon Mr Justice Evans, JA  
The Hon Madam Justice Bethell, JA

Ms Christina Galanos, Counsel for Appellants  
Ms Stephanie Pintard, Counsel for Respondent

15 July 2021

1 The oral judgment of the court was delivered by  
2 Crane-Scott, JA:

3 The court has considered the grounds of appeal  
4 together with the contending arguments of counsel and this is  
5 our position:

6 We allow the appeal on Ground 2 on the basis that  
7 the imposition of a custodial sentence was unduly severe.

8 We therefore quash the custodial sentence of  
9 6 months imprisonment and order their immediate release. We  
10 consider the custodial sentence to be unduly severe having  
11 regard to the range of sentences in other cases of this kind  
12 which were cited to us. We, however, substitute a fine of  
13 \$300, or in default, imprisonment for 3 months. This fine is  
14 to be paid within 14 days.

15 We wish to say that we would ordinarily have imposed  
16 a fine of \$350, but have reduced it to \$300 to take account of  
17 the time which the appellants have to date already spent in  
18 custody.

19 The court intends to give brief written reasons at a  
20 later date.

21 That is the order of the court.

22 Dated this 15th day of July, 2021

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CRANE-SCOTT, JA