



**Sigilai v Republic (Criminal Application E110 of 2024)
[2024] KEHC 9963 (KLR) (12 August 2024) (Ruling)**

Neutral citation: [2024] KEHC 9963 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
CRIMINAL APPLICATION E110 OF 2024
RE ABURILI, J
AUGUST 12, 2024**

BETWEEN

PETER KIPROTICH SIGILAI APPLICANT

AND

REPUBLIC RESPONDENT

*(From the original conviction and sentence in Winam SPM Criminal
Case No. 646 of 2014 by Hon Khasavuli, PM on 31/8/ 2016)*

RULING

1. The applicant herein is a convict of robbery wit violence contrary to section 296(2) of the *Penal Code* in the above cited case. He was sentenced to death. He appealed against conviction and sentence but the appeal was dismissed vide Kisumu HCRA 29 of 2016. He claims that he petitioned for resentencing but the petition No 29 of 2020 was dismissed by F.A.Ochieng J (as he then was in the High Court). He deposes that the death sentence was commuted to life imprisonment and now he wants this court to reduce the sentence to the term served of 8 years plus the 3 years he spent in custody because he has been rehabilitated. This court having dismissed his appeal, it has no jurisdiction to revisit the same.
2. Iam unable to find any material for consideration of the sentence imposed. I find the application devoid of any merit and the same is hereby dismissed.
3. Signal to issue.
4. This file is closed.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 12TH DAY OF AUGUST, 2024

R. E. ABURILI

JUDGE

