



**Gen’g v Republic (Miscellaneous Criminal Application  
E010 of 2023) [2023] KEHC 3103 (KLR) (28 March 2023) (Ruling)**

Neutral citation: [2023] KEHC 3103 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
MISCELLANEOUS CRIMINAL APPLICATION E010 OF 2023**

**RE ABURILI, J  
MARCH 28, 2023**

**BETWEEN**

**JOSEPH AGWENGE GEN’G ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The Applicant Joseph Agwenge Gen’g is a convict vide Nyando Principal Magistrates Court Sexual Offence Case No. 991 of 2010 wherein he was sentenced to serve twenty (20) years imprisonment for the offence of defilement contrary to section 8 (1) (2) of the *Sexual Offences Act*.
2. He now claims that because he has served  $\frac{2}{3}$  of sentence, this court should release him because he has reformed.
3. No testimonials were filed from prison. Only prison authorities grant remission not this court.
4. I find the application misconceived and not well thought out. It is hereby dismissed.
5. File closed.

**DATED, SIGNED AND DELIVERED AT KISUMU THIS 28<sup>TH</sup> DAY OF MARCH, 2023**

**R. E. ABURILI**

**JUDGE**

