

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NANYUKI

CRIMINAL REVISION NO.112 OF 2020

PAUL WACHIRA NDIRITU.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

(Revision of the Original conviction and Sentence in Nanyuki Criminal Case No.937 of 2012 – E. Bett - SRM)

30.06.2020

Before Justice H P G Waweru

In Chambers

ORDER ON REVISION

I have seen herein the applicant's request for revision of sentence under Sections 362 and 364 of the Criminal Procedure Code, Cap 75.

I have also perused Nanyuki HC Criminal Appeal No.81 of 2016 in which this same applicant appealed against the conviction and sentence that he got in Nanyuki CM Criminal Case No.937 of 2012. That appeal was dismissed in its entirety in a judgment dated and delivered on 29/09/2017 (Kasango,J). The applicant then filed a notice of appeal to the court of appeal at Nyeri.

In these circumstances revision of sentence is not available to the applicant. This court has no power to review its own decision made in exercise of its criminal appellate jurisdiction.

The application for revision of sentence is thus misconceived and is hereby struck out. It is so ordered.

Dated at Nanyuki this 30th day of June 2020.

H.P.G. WAWERU

JUDGE.

DEPUTY REGISTRAR

NANYUKI HIGH COURT