



**Kirwa v Republic (Criminal Revision E012 of 2025)  
[2025] KEHC 4369 (KLR) (4 April 2025) (Ruling)**

Neutral citation: [2025] KEHC 4369 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT ELDORET  
CRIMINAL REVISION E012 OF 2025  
RN NYAKUNDI, J  
APRIL 4, 2025**

**BETWEEN**

**CORNELIUS KIRWA ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The Applicant in his notice of motion seeks the following orders:
  - a. That the petitioner is seeking revision of his sentence to a lesser one or be admitted on probation
  - b. That the applicant will be seeking a declaration by the court that his application has merits and qualifies to be heard And Which Applicationis heard on the following grounds:
    - a. That the applicant was charged convicted and sentenced to 6 months imprisonment for the offence of stealing c/section 268 of the penal code
    - b. That the applicant is a first offender and he is remorseful, repentant and God fearing
    - c. That this Hon Court has unlimited jurisdictions to hear and determine this application under the provision of Art 165(3) of the constitution of Kenya 2010
2. I have read the record and the application there is no merit for review of sentence as pleaded by the applicant. As a result therefore, The revision application under Section 362 and 364 of the CPC be and is hereby dismissed in terms of Section 382 of the same code.

**GIVEN UNDER THE HAND AND THE SEAL OF THIS COURT ON THIS 4TH DAY OF APRIL 2025.**

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**R. NYAKUNDI**  
**JUDGE**

