



**Ajwang v Attorney General & 2 others (Judicial Review Application E156 of 2025)
[2025] KEHC 8341 (KLR) (Judicial Review) (16 June 2025) (Ruling)**

Neutral citation: [2025] KEHC 8341 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
JUDICIAL REVIEW
JUDICIAL REVIEW APPLICATION E156 OF 2025
RE ABURILI, J
JUNE 16, 2025**

BETWEEN

MICHAEL AUKA AJWANG APPLICANT

AND

THE ATTORNEY GENERAL 1ST RESPONDENT

CHIEF MAGISTRATE'S COURT (KIBERA) 2ND RESPONDENT

DIRECTOR OF PUBLIC PROSECUTIONS 3RD RESPONDENT

RULING

1. The application dated 13/6/2025 is not certified urgent. On the prayer for leave to apply, I have considered the application, statement of facts and annextures. I am satisfied that the application is not frivolous on the face of it.
2. I grant leave to the applicant to apply for Judicial Review Orders sought in the chamber summons dated 13/6/2025. The main motion to be filed and served within 21 days of today and in a fresh Judicial Review File.
3. On whether the leave so granted should operate as stay of the criminal proceedings, I decline to grant that prayer noting that the applicant has taken a while before approaching this court and there was a warrant of arrest issued against him on 12/9/2024 for failure to attend the criminal court at Kibera in the Chief Magistrate's Court Cr. E1884/2024.
4. The applicant has also filed statements showing that he received money from the complainant, interested party, forming the basis of Count III of the charges against him, of obtaining money by false pretences, among other charges.



5. I find that this is not a proper case for an order staying criminal proceedings. I decline to grant the order for stay.
6. I make no orders as to costs. This file is closed.

DATED, SIGNED AND DELIVERED AT NAIROBI THIS 16TH DAY OF JUNE, 2025

R.E. ABURILI

JUDGE

