



**Lukhalu v Republic (Miscellaneous Criminal Application
E014 of 2025) [2025] KEHC 9845 (KLR) (8 July 2025) (Ruling)**

Neutral citation: [2025] KEHC 9845 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
MISCELLANEOUS CRIMINAL APPLICATION E014 OF 2025**

DR KAVEDZA, J

JULY 8, 2025

BETWEEN

FELIX MUHANJI LUKHALU APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant was jointly charged and convicted with three counts of the offence of robbery with violence contrary to section 296(2) of the *Penal Code*. He was sentenced to death in Kibera Chief Magistrate's Court Criminal Case No 340 of 2020. He filed an appeal challenging his conviction and sentence. His appeal was partially allowed and the sentence reduced to 30 years imprisonment.
2. The applicant has filed the present application dated 19th May 2025 seeking sentence review. The grounds raised in support of the application are that the he has already served five years of his sentence and is eligible for a non-custodial sentence. He is the sole bread winner in his family. He urged the court to review the sentence imposed.
3. From the record, the applicant filed an appeal against his conviction and sentence which was heard and determined by this court. In the circumstances, the right forum for the applicant is the Court of Appeal.
4. As such, the application is dismissed.

Order accordingly.

RULING DATED AND DELIVERED VIRTUALLY THIS 8TH DAY OF JULY 2025

D. KAVEDZA



JUDGE

