



**Sidwaka v Republic (Criminal Revision 60 of 2023)  
[2024] KEHC 1503 (KLR) (14 February 2024) (Ruling)**

Neutral citation: [2024] KEHC 1503 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIBERA  
CRIMINAL REVISION 60 OF 2023  
DR KAVEDZA, J  
FEBRUARY 14, 2024**

**BETWEEN**

**JUSTUS OMONDI SIDWAKA ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The applicant was charged and convicted for the offence of robbery with violence contrary to section 295 as read with 296 (2) of the *Penal Code*. He was sentenced to serve twenty (20) years imprisonment.
2. The applicant has now filed an application seeking a revision of sentence in consideration of section 333 (2) of the *Criminal Procedural Code*. The application is supported by an affidavit sworn by the applicant.
3. I have considered the application, the affidavit in support and the applicable law. The issue for consideration is whether the time spent in remand custody was considered in computation of the applicant’s sentence. I have perused the entire record and the sentencing proceedings. The time spent in remand custody was considered by the trial court.
4. The application is therefore dismissed for lacking in merit.

Orders accordingly.

**RULING DATED AND DELIVERED VIRTUALLY THIS 14<sup>TH</sup> DAY OF FEBRUARY 2024**

\_\_\_\_\_  
**D. KAVEDZA**

**JUDGE**

