



REPUBLIC OF KENYA



**KENYA LAW**  
THE NATIONAL COUNCIL FOR LAW REPORTING  
Where Legal Information is Public Knowledge

**Kebati v Republic (Criminal Revision E023 of 2024)  
[2024] KEHC 5296 (KLR) (17 May 2024) (Ruling)**

Neutral citation: [2024] KEHC 5296 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
CRIMINAL REVISION E023 OF 2024**

**RE ABURILI, J**

**MAY 17, 2024**

**BETWEEN**

**DENNIS OMBESE KEBATI ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

*(From the original conviction and sentence in the  
High Court Criminal Case No. 27 of 2015 at Kisumu)*

**RULING**

1. The Applicant is a convict in Kisumu HCCR Case No. 27 of 2015 for the offence of murder contrary to Section 203 as read with Section 204 of the [Penal Code](#). He was sentenced to death.
2. He petitioned for resentencing *vide* HCCR Petition No. 37 of 2018 and the death sentence was substituted with thirty (30) years imprisonment.
3. He now seeks for review of that sentence.
4. This court has no jurisdiction to further reduce his term sentence which was imposed by this very court of concurrent jurisdiction.
5. The application for review of sentence of 30 years imprisonment is dismissed.
6. This file is closed. Signal to issue.

**DATED, SIGNED AND DELIVERED AT KISUMU THIS 17<sup>TH</sup> DAY OF MAY, 2024**

**R. E. ABURILI**

**JUDGE**

