



**Aywa v Republic (Criminal Revision E137 of 2024)
[2024] KEHC 11202 (KLR) (24 September 2024) (Ruling)**

Neutral citation: [2024] KEHC 11202 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
CRIMINAL REVISION E137 OF 2024
RE ABURILI, J
SEPTEMBER 24, 2024**

BETWEEN

ELIZABETH ATIENO AYWA APPLICANT

AND

REPUBLIC RESPONDENT

*(From the original conviction and sentence in Maseno Senior
Principal Magistrate Criminal Case No. 138 of 2016)*

RULING

1. The Applicant is Elizabeth Atieno Aywa. She was convicted vide Maseno SPM Criminal Case No. 138 of 2016 of the offence of robbery with violence and sentenced to serve life imprisonment.
2. She claims that she appealed vide Kisumu HCRA No. 5 of 2019 which appeal was dismissed and that she lodged an appeal to the Court of Appeal which has not been heard todate so she is applying for Sentence Revision because she has been in prison for 8 years.
3. I have considered the application. This court is devoid of jurisdiction to revise sentence which is upheld on appeal by the same court and which decision is pending before the Court of Appeal for consideration.
4. The application which was filed on 10th September 2024 is dismissed.
5. This file is closed.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 24TH DAY OF SEPTEMBER, 2024

R. E. ABURILI

JUDGE

