



**Adika v Republic (Criminal Application E207 of 2024)
[2024] KEHC 12683 (KLR) (17 October 2024) (Ruling)**

Neutral citation: [2024] KEHC 12683 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
CRIMINAL APPLICATION E207 OF 2024
MS SHARIFF, J
OCTOBER 17, 2024**

BETWEEN

JOSEPHAT NYAMWEA ADIKA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. Upon perusal of the notice of motion dated 30.9.24 and the affidavits in support thereof sworn by one Leonard Ochieng Adika and Josphat Nyamwea Adika (Applicant), I do note that the Applicant is seeking the review of his sentence on grounds that the complainant who is also his brother is ready to forgive him upon payment of compensation of Kshs.10,000. Sadly, the horse bolted and the chariot cannot at this juncture be returned to the first city where its journey commenced from.
2. The Applicant is currently serving a lawful sentence and this court has no jurisdiction to review his sentence on grounds that parties have eventually agreed to pursue alternative justice system.
3. This application is thus without merit and I hereby dismiss it.
4. This file is marked as closed.

DELIVERED, SIGNED AND DATED AT KISUMU THIS 17TH DAY OF OCTOBER, 2024.

M. S. SHARIFF

JUDGE

