



**Njuguna v Republic (Miscellaneous Criminal Case E368 of 2024)
[2024] KEHC 11932 (KLR) (Crim) (8 October 2024) (Ruling)**

Neutral citation: [2024] KEHC 11932 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
CRIMINAL
MISCELLANEOUS CRIMINAL CASE E368 OF 2024
K KIMONDO, J
OCTOBER 8, 2024**

BETWEEN

JACKSON MUCHOKI NJUGUNA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant has presented a notice of motion dated 2nd October 2024 praying for resentencing.
2. He was convicted for Robbery with Violence in Makadara Chief Magistrates Court in Criminal Case No. 3296 of 2010 and sentenced to death.
3. His appeal to the High Court vide (Nairobi HCCRA No. 19 of 2012) was dismissed (Ndungu & Thande JJ) on 30th July 2015.
4. He claims to have lodged a second appeal to the Court of Appeal but does not divulge the results.
5. However, our registry records show that he filed an earlier application for resentencing in Miscellaneous Criminal Application E007 of 2021 which was dismissed by the High Court (Nzioka J) on 20th September 2021.
6. Granted that history and multiplicity of applications, the present application is not only an abuse of process but the court is no longer seized of jurisdiction.
7. In the upshot, it is dismissed in limine. The applicant and the Director of Public Prosecutions shall be notified of this order.

DATED, SIGNED AND DELIVERED AT NAIROBI THIS 8TH OCTOBER, 2024.



KANYI KIMONDO

JUDGE

Ruling read in chambers in the presence of-

Mr. E. Ombuna, Court Assistant.

