



**Kadungo v State (Miscellaneous Criminal Application E029 of 2024)
[2024] KEHC 16619 (KLR) (17 December 2024) (Ruling)**

Neutral citation: [2024] KEHC 16619 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KAPENGURIA
MISCELLANEOUS CRIMINAL APPLICATION E029 OF 2024
RPV WENDOH, J
DECEMBER 17, 2024**

BETWEEN

PETER KADUNGO APPLICANT

AND

STATE RESPONDENT

RULING

1. Peter Kadungo has applied for review of his sentence to include the period that he was in remand. Mr. Majale Prosecution Counsel, opposed the application for reasons that the applicant appealed to the Court of Appeal which appeal was dismissed early this year by upholding the conviction and sentence; that this court does not have jurisdiction to entertain the application.
2. The applicant admitted to his appeal having been dismissed by the Court of Appeal. There is no reason why the applicant did not raise the grounds he is now raising before the Court of Appeal. This court lacks jurisdiction to hear this application and it is dismissed.
3. File closed.

DELIVERED, DATED AND SIGNED AT KAPENGURIA THIS 17TH DAY OF DECEMBER, 2024

R. WENDOH.

JUDGE.

Ruling delivered in open court in the presence of:

Applicant in person (virtual)

Mr. Majale for the state

Juma - Court Assistant.

