



**Mbaluto v Republic (Criminal Revision 336 of 2024)
[2024] KEHC 15869 (KLR) (16 December 2024) (Ruling)**

Neutral citation: [2024] KEHC 15869 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL REVISION 336 OF 2024
DR KAVEDZA, J
DECEMBER 16, 2024**

BETWEEN

MULE MBALUTO APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant was charged and after a full trial convicted of the offence of robbery with violence contrary to section 296(2) of the *Penal Code*. He was sentenced to death.
2. He has filed the present application dated 6th February 2024 seeking a revision of sentence imposed. The grounds raised are consolidated as follows; that he is remorseful for the offence committed, and he urged the court to revise the sentence of the trial court to a non-custodial sentence.
3. I have considered the application, the grounds in support and the applicable law. From the record of the trial court, the court considered the applicant’s mitigation, the time spent in remand custody and the fact that the applicant was a first offender before sentencing. Having considered the application in its totality, it is my finding that the sentence imposed was also legal in the circumstances of the case.
4. In my view I find no good cause or reason to revise the sentence imposed by the trial court.
5. The application dismissed for lacking in merit.

Orders accordingly.

RULING DATED AND DELIVERED VIRTUALLY THIS 16TH DAY OF DECEMBER 2024

D. KAVEDZA

JUDGE

