

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT SIAYA

MISC. CRIMINAL APPLICATION NO. 47 OF 2020

FREDRICK OWINO KANGALA.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

(Being an Application for Revision of sentence in Criminal (SO)

Case No. 48 of 2018 in the Senior Resident Magistrate's Court at Ukwala)

RULING

1. The application dated 30th July 2020 seeks for Sentence Revision as well as leave to appeal out of time from the conviction and sentence passed on 23rd April 2019 by Ukwala SRM's court in Cr (SO) Case No. 48/2018.
2. The court cannot tell which is which that the applicant seeks.
3. Nonetheless, the prayer for leave out of time is brought over one year after the alleged conviction and sentence.
4. The same is brought after inordinate delay the prayer for leave to appeal out of time is hereby dismissed.
5. On the prayer for Sentence Review, I find the sentence imposed on the convict/applicant was lawful and not irregular. I find no reason to interfere with the same.
6. The application is found to be devoid of merit and is hereby dismissed.
7. File closed.
8. Orders accordingly.

Dated, signed and Delivered at Siaya this 1st Day of September 2020.

R.E. ABURILI

JUDGE