

REPUBLIC OF KENYA

AT THE HIGH COURT OF KENYA AT SIAYA

CRIMINAL REVISION NO. 71 OF 2020

ALBERT OTIENO ONYANGO.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

(Being an Application for revision of sentence in Principal Magistrate's Court, Siaya vide Criminal (SO) Case No. 1 of 2015 delivered on 25.2.2016 before Hon. H. Wandere, Principal Magistrate)

RULING

1. I have considered the application for Sentence Revision and the mitigating factors given and letter of recommendation by the Officer Incharge Siaya G.K. Prison dated 14/9/2020.
2. Regrettably, the Applicant having appealed vide Siaya HC. Criminal Appeal No. 167 of 2016, this court cannot revise sentence which was lawful.
3. Furthermore, the sentence review was declined by Majanja J in HCCRA No. 167/2016 vide an Order of 23/3/2018.
4. This court has no jurisdiction to upset the order of another Judge of concurrent competent jurisdiction. The application for sentence revision is dismissed.
5. File closed.

Dated, signed and delivered at Siaya this 5th day of October 2020.

R.E. ABURILI

JUDGE