

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT SIAYA

CONSTITUTIONAL PETITION NO. 47 OF 2019

PETER OTIENO TITO..... PETITIONER

VERSUS

REPUBLIC.....RESPONDENT

(Being an application for Constitutional Petition of sentence in Kisumu Constitution Petition No. 1 of 2019 Dated 18.6.2019 Before Hon. Fred Ochieng - Judge).

RULING

1. I have perused the petition and I observe that the Petitioner petitioned Kisumu High Court vide Pet No. 1/2019 for resentencing and the Hon. Justice F. Ochieng – J. resented him to serve 15 years imprisonment.
2. That being the case, this Court has no jurisdiction to rehear a petition for resentencing to review a judgment of a Court of competent concurrent jurisdiction in criminal matters.
3. The Petition herein is dismissed and this file is hereby closed.

DATED AT SIAYA THIS 1st DAY OF OCTOBER, 2019.

HON. LADY JUSTICE R. E. ABURILI

JUDGE

ISSUED UNDER MY HAND AND SEAL THIS 1st DAY OF OCTOBER, 2019.

DEPUTY REGISTRAR

HIGH COURT OF KENYA

SIAYA