



**Awiti v Republic (Miscellaneous Criminal Application e160 of 2025)  
[2025] KEHC 13591 (KLR) (1 October 2025) (Ruling)**

Neutral citation: [2025] KEHC 13591 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIBERA  
MISCELLANEOUS CRIMINAL APPLICATION E160 OF 2025**

**DR KAVEDZA, J**

**OCTOBER 1, 2025**

**BETWEEN**

**JASPHAT ORINA AWITI ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The applicant was charged and after a full trial convicted for the offence of defilement contrary to section 8(1) as read with section 8(3) of the [Sexual Offences Act](#) 2006. He was sentenced to serve twenty (20) years' imprisonment.
2. He filed the present application dated 10<sup>th</sup> July 2025 seeking sentence review. The grounds raised are that the time spent in custody from the date of arrest be considered.
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. The sentence imposed was also legal in the circumstances of the case.
4. In my view of the foregoing, I find no good cause or reason to revise the sentence imposed by the trial court. The application dismissed for lacking in merit.

Orders accordingly.

**RULING DATED AND DELIVERED VIRTUALLY THIS 1<sup>ST</sup> DAY OF OCTOBER 2025**

**D. KAVEDZA**

**JUDGE**

