



**Ngumbaru v Republic (Criminal Revision e104 of 2025)
[2025] KEHC 13666 (KLR) (2 October 2025) (Ruling)**

Neutral citation: [2025] KEHC 13666 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL REVISION E104 OF 2025
DR KAVEDZA, J
OCTOBER 2, 2025**

BETWEEN

JAMES KIBUE NGUMBARU APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant was charged and convicted of the offence of robbery with violence contrary to section 296(2) of the Penal Code; Possession of an imitation firearm section 34(1) of the *Firearms Act* and possession of ammunition contrary to section 89(1) of the Penal Code. The applicant was re-sentenced to serve fifteen (15) years in Count I, two (2) years in Count II and two (2) years in Count III. The sentences are running concurrently from 19th October 2016 the date of his first sentence.
2. He filed the present undated application and an affidavit in support of his motion seeking sentence review. The grounds raised are that he is the sole breadwinner in his family who have suffered since his incarceration. He is remorseful for the offence committed. He has undergone rehabilitation. 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, 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 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 2ND DAY OF OCTOBER 2025



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D. KAVEDZA
JUDGE

