



**Salim v Republic (Miscellaneous Criminal Application E141 of 2025)  
[2025] KEHC 16880 (KLR) (18 November 2025) (Ruling)**

Neutral citation: [2025] KEHC 16880 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIBERA  
MISCELLANEOUS CRIMINAL APPLICATION E141 OF 2025**

**DR KAVEDZA, J  
NOVEMBER 18, 2025**

**BETWEEN**

**OMAR MUSTAFA SALIM ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The applicant was charged and convicted for the offence of robbery with violence contrary to section 296(2) of the Penal Code. He was sentenced to serve thirty (30) years imprisonment. His appeal against the conviction and sentence was partially allowed and the sentence reduced to twenty (20) years imprisonment to run from the date of arrest.
2. The applicant has filed the application seeking sentence review. The grounds raised are that the time spent in custody has been sufficient rehabilitation. 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. From the record, the applicant filed an appeal against his conviction and sentence which was heard and determined by this court. This court is therefore functus officio. The right forum for the applicant is the Court of Appeal.
4. In the circumstances, the application is dismissed.

Order accordingly.

**RULING DATED AND DELIVERED VIRTUALLY THIS 18<sup>TH</sup> DAY OF NOVEMBER 2025**

.....

**D. KAVEDZA**



**JUDGE**

