



REPUBLIC OF KENYA



**Erupe v Republic (Criminal Revision E346 of 2025)  
[2025] KEHC 17979 (KLR) (3 December 2025) (Ruling)**

Neutral citation: [2025] KEHC 17979 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT ELDORET  
CRIMINAL REVISION E346 OF 2025  
RN NYAKUNDI, J  
DECEMBER 3, 2025**

**BETWEEN**

**AMOS EKALE ERUPE ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The applicant was charged of stealing contrary to Section 268 as read with Section 278 of the penal code. The brief facts are on the 3<sup>rd</sup> day of January 2025, at Miti Mbao area in Moi's Bridge town Soy Sub County within Uasin Gishu County, stole one mobile make Tecno pop 5 valued at Kshs. 11,000/= the property of Paul Umbuge.
2. The Applicant pleaded guilty and was sentenced to a fine of Kshs. 20,000/= in default 12 months' imprisonment on 19<sup>th</sup> March 2025. Subsequently, the applicant approached the court vide Criminal Revision No. E140 of 2025 in which the court perused through the record and dismissed the application for review vide the Ruling dated 6<sup>th</sup> August, 2025.
3. Therefore, this matter has already been comprehensively considered and determined by this Court. Having exercised its revisional jurisdiction and disposed of the application, this Court is now functus officio and cannot revisit or re-determine the same matter. The principle of finality in judicial proceedings precludes this Court from entertaining a second revision application on the same subject matter, as this would amount to an impermissible attempt to re-litigate an issue that has already been conclusively decided. Accordingly, the file is marked as closed.
4. No further orders.

**SIGNED, DATE AND DELIVERED AT NOVEMBER THIS 3RD DAY OF DECEMBER, 2025.**

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**R. NYAKUNDI**  
**JUDGE**

