



Njilithia v Republic (Miscellaneous Criminal Application E041 of 2024) [2026] KEHC 416 (KLR) (22 January 2026) (Ruling)

Neutral citation: [2026] KEHC 416 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MERU
MISCELLANEOUS CRIMINAL APPLICATION E041 OF 2024**

**HM NYAGA, J
JANUARY 22, 2026**

BETWEEN

JAMES NJILITHIA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. By an application dated 4/6/2024 the applicant has sought the following order:
 - a. The applicant herein be granted re-sentencing.
2. The application is supported by the grounds set out on its face and the applicant’s affidavit sworn on even date.
3. I have perused the application.
4. I have noted that the applicant filed petition No. 31 of 2019 for re-sentencing. By a ruling delivered on 3/12/2019, Justice A. Mabeya set aside the death sentence and substituted it with a life sentence.
5. By bringing this application, the applicant is seeking another order of re-sentencing, having already been re-sentenced by a court of concurrent jurisdiction.
6. This court lacks the jurisdiction to look at the decision of 3/12/2019. If the applicant was aggrieved then he ought to have moved to the Court of Appeal.
7. The application is thus dismissed/struck out for want of jurisdiction.

DATED, SIGNED AND DELIVERED AT MERU THIS 22ND DAY OF JANUARY 2026.

.....

H. M. NYAGA



JUDGE

