



REPUBLIC OF KENYA



KENYA LAW
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**Gwaliamba v Republic (Criminal Revision 358 of 2024)
[2025] KEHC 464 (KLR) (28 January 2025) (Ruling)**

Neutral citation: [2025] KEHC 464 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL REVISION 358 OF 2024**

**DR KAVEDZA, J
JANUARY 28, 2025**

BETWEEN

DENNIS MILLA GWALIAMBA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant was charged and after a full trial convicted for the offence of stealing contrary to section 268(1) of the [Penal Code](#). He was sentenced to four (4) years imprisonment.
2. He has filed the present application dated 5th December 2024 seeking a revision of sentence imposed. The grounds raised are consolidated as follows; that since his incarceration he has been rehabilitated. He has been in custody for a considerable amount of time. His is the sole bread winner in his family. He urged the court to review his 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, the time spent in remand custody and the fact that the applicant was a not first offender before sentencing. Having considered the application in its totality, it is my finding that the sentence imposed was also legal in the circumstances of the case.
4. In my view I find that there is no irregularity in the sentence imposed by the trial court. The application dismissed for lacking in merit.

RULING DATED AND DELIVERED VIRTUALLY THIS 28TH JANUARY 2025.

D. KAVEDZA

JUDGE

