



**Nduta v Republic (Miscellaneous Criminal Application  
E134 of 2025) [2025] KEHC 11193 (KLR) (30 July 2025) (Ruling)**

Neutral citation: [2025] KEHC 11193 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIBERA  
MISCELLANEOUS CRIMINAL APPLICATION E134 OF 2025**

**DR KAVEDZA, J**

**JULY 30, 2025**

**BETWEEN**

**DANCUN KARANJA NDUTA ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The appellant, Duncan Karanja Nduta, was tried and convicted of the offence of defilement contrary to Section 8 (1) as read with Section 8 (3) of the *Sexual Offences Act* No. 3 of 2006. He was sentenced to serve 20 years imprisonment. His appeal in Nairobi Criminal Appeal No. 247 of 2019 was dismissed by Githua J on 24<sup>th</sup> February 2022. A second appeal to the Court of Appeal was dismissed on 20<sup>th</sup> June 2025 in Nairobi Court of Appeal Criminal Appeal No. E045 of 2023.
2. He has filed the present application seeking sentence review. The grounds raised are that he has been rehabilitated and the time spent in remand custody before his release on bond was not considered.
3. I have considered the application, the affidavit in support and the applicable law. From the record, I note that the matter was determined by the Court of Appeal. If this court ventures into handling the application on its merits would be tantamount to a disregard for the hierarchy of courts. This court has no jurisdiction to supervise a superior court.
4. As a result, the application is dismissed.

Orders accordingly.

**RULING DATED AND DELIVERED VIRTUALLY THIS 30<sup>TH</sup> DAY OF JULY 2025**

**D. KAVEDZA**

**JUDGE**

