



**Maalim v Republic (Miscellaneous Criminal Application
E132 of 2025) [2025] KEHC 11176 (KLR) (29 July 2025) (Ruling)**

Neutral citation: [2025] KEHC 11176 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
MISCELLANEOUS CRIMINAL APPLICATION E132 OF 2025**

DR KAVEDZA, J

JULY 29, 2025

BETWEEN

HASSAN ADAN MAALIM APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant was jointly charged with another not before this court and after a full trial convicted for the offence of trafficking in narcotic drugs, contrary to section 4(a) of the *Narcotic Drugs and Psychotropic Substances Control Act* No. 4 of 1994. He was sentenced to serve forty (40) years imprisonment. In addition, he was fined Kshs. 42,660,000 in default to serve twelve (12) months imprisonment running consecutively.
2. His appeal before this court in Kibera High Court Criminal Appeal No. Criminal Appeal No. 3 & 27 of 2023 (Consolidated) was dismissed on 29th October 2024. The prison sentence was however reduced to twenty (20) years imprisonment.
3. The applicant filed the present petition dated 23rd June 2025. In the main, the applicant sought the review of the sentence imposed.
4. 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.
5. In the circumstances, the application is dismissed.

Order accordingly.

RULING DATED AND DELIVERED VIRTUALLY THIS 29TH DAY OF JULY 2025.



D. KAVEDZA
JUDGE

