


**THE REPUBLIC OF UGANDA**  
**IN THE SUPREME COURT OF UGANDA AT KAMPALA**  
**CIVIL APPLICATION NO. 17 OF 2022**  
**(Arising Out of Civil Application No. 16 of 2022)**  
**(Arising Out of Court of Appeal Civil Appeal No. 91 of 2021)**

**Sgt. Oumo Joshua ..... 1<sup>st</sup> Applicant**  
**Attorney General .....2<sup>nd</sup> Applicant**

**versus**

**Paul Wanyoto Mugoya .....1<sup>st</sup> Respondent**  
**Mugisha Patrick alias Kantu Allan ..... 2<sup>nd</sup> Respondent**


**Ruling of Percy Night Tuhaise, JSC**  
**(Single Justice)**

This application was filed under Rules 2 (2), 6 (2) (b), 42 and 43 of the Judicature (Supreme Court) Rules, Statutory Instrument 13-11 seeking orders that:- 

1. An interim order doth issue staying execution and/or effecting of the decision and orders of the ruling of the Court of Appeal Civil Appeal No. 91 of 2021 pending the hearing and determination of the main application.

2. A stay of execution of the ruling and all orders arising out of Anti-Corruption High Court Miscellaneous Application No. 31 of 2020 until the final disposal of the main application.
3. Costs of and incidental to this application be provided for.

The application was supported by the affidavit of Sgt. Oumo Joshua the 1<sup>st</sup> Applicant. It was opposed by the Respondents through their respective affidavits in reply.

At the hearing of this application, Mr. Ojiambo Bichachi, State Attorney, appeared for the Applicants. Mr. Jude Byamukama appeared for the Respondents. The 1<sup>st</sup> Applicant and the 2<sup>nd</sup> Respondent were in court at the hearing of this application. 

At the commencement of the hearing, learned Counsel for the Respondents raised four preliminary objections regarding the competence of the application. Counsel for both sides made oral submissions on the preliminary objections as well as the merits of the application.

### **Background to the Application**

The Respondents, who were among the accused persons in Criminal Case No. 75 of 2019 at the High Court Anti - Corruption Division, sought orders from the same court *vide* High Court Miscellaneous Application No. 26 of 2020 to halt the criminal proceedings against