



**COURT OF MAGISTRATES (MALTA)
AS A COURT OF CRIMINAL JUDICATURE**

MAGISTRATE DR. AUDREY DEMICOLI LL.D.

Today 22nd of July, 2016

**The Police
(Inspector Yvonne Farrugia)**

VS

Petra Kulja

The Court;

Having seen the charges brought against Petra Kulja Maltese Identity Card no. 62730A accused with having during the years between 2013 and 2016 in these Islands, by means of several acts committed at different times, which constitute violation of the same provision of the Law and which were committed in pursuance of the same design,

1. By means of any unlawful practice, or by the use of any fictitious name, or the assumption of any false designation, or by means of any other deceit, device or pretence calculated to lead to the belief in the existence of any fictitious enterprise or of any imaginary power, influence or credit, or to create the expectation or apprehension of any chimerical event made gain of more than the sum of five thousand Euro (€5,000) to the detriment of Paperless Innovation Limited of Sliema;

2. Misapplied, converted to your own benefit or to the benefit of any other person, anything which has been entrusted or delivered to you under a title which implies an obligation to return such thing or to make use thereof for a specific purpose, that is, the sum of money exceeding five thousand Euro (€5,000) to the detriment of Paperless Innovation Limited of Sliema; which funds were entrusted or delivered to her by reason of your profession, trade, business, management, office or service or in consequence of a necessary deposit.

The Court is also hereby kindly requested that, in pronouncing judgment or in any subsequent order, sentence the person convicted to the payment, wholly or in part, to the Registrar, of the costs incurred in connection with the employment in the proceedings of any expert or referee, within such period and in

such amount as shall be determined in the judgment or order, as per Section 533 of Chapter 9 of the Laws of Malta.

Having seen all records of the proceedings.

Having heard the accused plead guilty to the charges brought against her, notwithstanding the fact that the Court warned her of the consequences of her guilty plea after having afforded her sufficient time within which to withdraw her guilty plea, the Court has no alternative but to find her guilty of the charges brought against her.

With regards to punishment the Court took into consideration the fact that the accused filed a guilty plea at such an early stage of the proceedings, as well as the fact that she has a clean criminal record, and the fact that the accused co-operated with the Police in the course of the investigations. The Court also considered that the accused has expressed her willingness to reimburse the full amount to the victim. In the circumstances the Court deems that a suspended jail term with an order to pay the amount due would be the most adequate form of punishment.

The Court after having seen Sections 308, 309, 310(a), 293, 294, 17 and 18 of the Criminal Code finds the accused guilty of all the charges brought against her and condemns her to two (2) years imprisonment which in terms of Section 28A of the Criminal Code are being suspended for a period of four (4) years from today.

In terms of Section 28H of the Criminal Code the Court condemns the accused to pay the amount of thirty thousand Euros (€30,000) to Paperless Innovation Limited and this within a period of six (6) months from today.

After having seen Article 392 A (2) and 401 (3) of Chapter. 9 of the Laws of Malta, the Court orders that a copy of this judgement together with the acts of these proceedings are sent to the Attorney General within the time limit stipulated by Law.

MAGISTRATE