



**COURT OF MAGISTRATES (MALTA)
AS A COURT OF CRIMINAL JUDICATURE
Magistrate Dr Astrid May Grima B.A. LL.D. Adv. Trib. Eccles. Melit.**

Today 4th February 2021

**Police
(Inspector Elton Taliana)**

vs

**Darko Stojanovic
Michal Lukasz Nowak**

Case Number: 139/2020

The Court,

Having seen the charges brought against Darko Stojanovic, son of Predrac and Alexandra nee' Nikovic, residing (no fixed address), holder of Maltese identity card 201982A, born in Serbia on the 30th December 1997.

and

Michal Lukasz Nowak, son of Kristof and Barbra nee' Noga, residing (no fixed address), holder of Polish ID card AXX862848, born in Poland on the 13th February 1982.

Being charged with having on the 26th of March 2020 at about 13.20Hrs in Karm Zerafa street, Birkirkara:

- 1) With the intent to commit theft had manifested such intent by overt acts which are followed by a commencement of the execution of the

crime, which theft exceeds two thousand and three hundred and twenty-nine euros and thirty-seven cents (€2,329.37), and is aggravated by 'ammount' and 'place', to the detriment of family Marmara and/or other persons.

Moreover, they are being charged for having on the 03rd of April 2020 and in the previous months, in the Maltese islands:

2) Lead an idle and vagrant life.

After having seen all the documents presented in the acts of these proceedings.

After hearing the accused plead guilty to the charges brought against them on the 21st of January 2021.

After hearing the final submissions by the parties.

Considers

Whereas during the sitting held on the 21st of January 2021, the accused, in the presence of their Lawyer, plead guilty to the charges brought against them.

Having then warned the accused in the most solemn manner of the legal consequences of such plea and allowed the accused ample time to retract it and this in accordance with Article 453 together with Article 392A of Chapter 9 of the Laws of Malta.

Having seen that the accused, after being granted such time, and after confirming that they had been allowed sufficient time to consider their plea, that they fully understood the charges brought against them, that they were fully aware of the punishments prescribed by the law for the charges brought against them, confirmed their guilty plea.

Having heard the guilty plea of the accused to the charges brought against them, the Court has no alternative but to declare the accused guilty of the said charges.

Decide

For the said reasons the Court, after having seen Articles 7, 31, 41, 267, 269, 279(b) and 338(w) of Chapter 9 the Laws of Malta, finds the accused **guilty** of all charges brought against them and condemns them, to **one (1) year imprisonment each**, whereas by application of **Article 28A** of Chapter 9 of the Laws of Malta, **the said term of one (1) year imprisonment is being suspended for a period of three (3) years from today.**

In terms of **Article 28A(4)** of Chapter 9 of the Laws of Malta, the Court explained to the accused in plain language their liability under **Article 28B** of Chapter 9 of the Laws of Malta, if during the operational period of this suspended sentence they commit an offence punishable with imprisonment.

Dr. Astrid May Grima B.A. LL.D. Adv. Trib. Eccles. Melit.
Magistrate