



MALTA

**IN THE COURT OF MAGISTRATES (MALTA)  
AS COURT OF CRIMINAL JUDICATURE**

**MAGISTRATE  
DR. CHARMAINE GALEA**

**Today the 01<sup>st</sup> July, 2023**

**The Police  
(Inspector Keith Xerri)**

**vs.**

**Sava Kokir  
(Holder of Croatian Identity Card number 116062262)  
and  
Dragan Jovanovic  
(Holder of Serbian Identity Card number 010696083)**

The Court,

Having seen that the defendants **Sava Kokir and Dragan Jovanovic** were charged with having on the 30th of June, 2023, between the time of 04:15hrs and 04:30hrs, in St' Georges Road, Paceville, St' Julian's and/or in the Maltese Islands;

1. Without the intent to kill or to put the life in manifest jeopardy, caused grievous bodily harm on the person of Emil Johann Cristoffer Lovqvist as certified by Dr. Melania Formosa Med Reg. 6503 of Mater Dei Hospital.
2. On the same date, time, place and circumstances wilfully disturbed the public peace and order.

The Court was kindly requested that in case of guilt, to provide for the security of Emil Johann Cristoffer Lovqvist in terms of Articles 382A, 383, 384, 385 and 412C of Chapter 9 of the Laws of Malta.

The Court was also requested to condemn the accused for the payment of costs related to the appointment of experts or architects in the proceedings as contemplated in Article 533 of the Chapter 9 of the Laws of Malta, in case of guilt.

After having seen all the records of the case;

After having heard both offenders plead guilty to the charges at an early stage of the proceedings, which guilty plea was confirmed by the same offenders after the Court, in terms of section 453 (1) of Chapter 9 of the Laws of Malta, warned them of the legal consequences of their guilty plea, and allowed them sufficient time to re-consider their reply, and to change it;

After having heard the oral submissions on the punishment;

**Considered that:**

From the evidence brought forward and from the guilty plea registered by the offenders, the Court concludes that the offenders are guilty of the charges brought against them.

As regards the punishment, the Court took into consideration the fact that the offenders admitted to the charges at a very early stage of the proceedings. However, the Court also took into consideration the nature of the bodily harm inflicted on the injured party and their clean conviction sheets.

After taking into consideration all the circumstances which led to this incident, the Court is of the opinion that a suspended sentence of imprisonment is appropriate.

**DECIDE**

For these reasons the Court after having seen sections **214, 216 and 338 (dd)** of Chapter 9 of the Laws of Malta, upon their admission finds the defendants **Sava Kokir and Dragan Jovanovic** guilty of all the charges brought against them and condemns each of them to one (1) year imprisonment which in terms of section 28A (1) of the Criminal Code is being suspended for a period of two (2) years from today.

In accordance with sections 28A (4) of Chapter 9 of the Laws of Malta, the Court explained in clear and simple language the meaning of the judgement to the defendants, and the consequences which would follow if they fail to abide by it, that is, if they commit another offence which is punishable by imprisonment within the operative period.

Additionally, in terms of Section 382A of Chapter 9 of the Laws of Malta, the Court is issuing a restraining order in favour of Emil Johann Cristoffer Lovqvist for a period of three years from today and under those conditions as contained in the decree given today, which decree shall form an integral part of this decision.

Finally, the Court abstains from taking cognizance of the request of the Prosecution to condemn the defendants to pay the costs of any appointed experts in relation to this incident since no experts were appointed.

**Dr. Charmaine Galea**  
**Magistrate**

**Antonella Cassar**  
**Deputy Registrar**