



Court of Magistrates (Malta) as a Court of Criminal Judicature

THE POLICE (INSPECTOR FRANKIE SAMMUT) V. BALWINDER SINGH (INDIAN PASSPORT NUMBER W6193126)

MAGISTRATE: DR. VICTOR G. AXIAK

10 January 2024

THE COURT,

having seen the charges preferred against Balwinder Singh, 20 years of age, son of Parsram and Santosh Kumari born on the 17th February 2003 in Punjab India, residing at 35, Filcar A, Flt 10, Triq Carmelo De Lucca, St Paul's Bay and holder of Indian passport number W6193126 ("the accused"), who was arraigned before the Court on 10 January 2024 and charged with having on the eight(8) January 2024 at about 2pm and or in the previous period before this date in Msida and or any other locality in these islands:

- 1. In order to gain any advantage or benefit for himself or others, in any document intended for any public authority, knowingly made a false declaration or statement, or gave false information**
- 2. On the same date, period, place and circumstances, committed any other kind of forgery, or knowingly made use of any other forged document**

having seen that in the sitting held on 10 January 2024 the accused pleaded guilty to the charges brought against him and the Court thereafter explained the consequences of the admission to the accused and postponed the case to ensure that the accused consults his lawyer once again and reconsider his decision,

having seen that when the case was called once again the accused reiterated his admission to the charges brought against him,

having heard submissions on punishment,

having seen all the acts of the case,

gives the following

Judgement

Given the early plea of admission, the fact that the accused cooperated with the Police in their investigations, that he has a clean conduct and more importantly that the accused is himself a victim given that he paid seven thousand euro (€ 7,000) for documents that were required to work in this country, the Court considers that an effective jail term would be disproportionate and that a suspended sentence would be appropriate in the circumstances.

Decision

For these reasons, having seen the relevant provisions of the law (Articles 28A, 188 and 189 of Chapter 9 of the Laws of Malta) the Court finds the accused guilty of the charges brought against him upon his admission and condemns him to seven (7) months imprisonment which sentence, in line with Art. 28A of Chapter 9 of the Laws of Malta, shall not take effect unless, during two (2) years from today the offender commits another offence punishable with imprisonment. The court explained to the offender in ordinary language his liability under article 28B of Chapter 9 of the Laws of Malta if during the operational period he commits an offence punishable with imprisonment.

V.G. Axiak
Magistrate

Y. M. Pace
Dep. Registrar