



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

### THE REPUBLIC OF MALTA V. SHAHIHAN SHAHID

**MAGISTRATE: DR. VICTOR G. AXIAK**

**9 March 2024**

THE COURT,

having seen the charges preferred against Shahihan Shahid, of Pakistani nationality, forty-nine (49) years old, son of unknown parents, born in Pakistan, on the first (1st) of January of the year nineteen seventy-five (1975) and residing at 17, Saint Bartholomew Street, Għarghur, holder of Identity Card Number 9002036A and Police Number 19N-026. ("the accused"), who was arraigned before the Court on 9 March 2024 and charged with having through multiple acts committed by him even if on different occasions but which breach the same provisions of the Law, and that were so committed with one single resolution in breach of Article 18 of Chapter 9 of the Laws of Malta:

1. on the thirteenth (13) of February of the year two thousand twenty four (2024), in Triq taz-Zellieqa, Għarghur, and/or in other locations in these Maltese Islands committed theft of various objects, which amount does not exceed the sum of two hundred and thirty-two euro and ninety-four cents (€232.94) and which theft is aggravated by time and nature of the thing stolen and which theft took place from the vehicle with registration number KBW 502 to the detriment of Thomas Paul Fenech Adami and/or any other person;
2. In the night between the seventh (7th) and eighth (8th) of March of the year two thousand and twenty-four (2024) at Sqaq il-Laqx and/or in other areas of these Islands, committed theft of various objects, which amount does not exceed the sum of two hundred and thirty-two euro and ninety-four cents (€232.94) and which theft is aggravated by means, time and nature of the thing stolen and which theft took place from the vehicle Toyota Vitz with registration number FCL 572 to the detriment of Petar Svelja and/or any other person;

3. In the night between the seventh (7th) and eighth (8th) of March of the year two thousand and twenty-four (2024) at Sqaq il-Laqx and/or in other areas of these Islands committed theft of various objects, which amount does not exceed the sum of two hundred and thirty-two euro and ninety-four cents (€232.94) and which theft is aggravated by means, time and nature of the thing stolen and which theft took place from the vehicle Mazda 2 with registration number LKE023 to the detriment of Luke Azzopardi and/or any other person;
4. In the night between the seventh (7th) and eighth (8th) of March of the year two thousand and twenty-four (2024) at Sqaq il-Laqx and/or in other areas of these Islands in any public place or place open to the public, was found drunk and incapable of taking care of himself;
5. In the night between the seventh (7th) and eighth (8th) of March of the year two thousand and twenty-four (2024) at Sqaq il-Laqx and/or in other areas of these Islands rendered himself a recidivist in terms of Articles 49, 50 and 289 of the Criminal Code, Chapter 9 of the Laws of Malta after having been convicted by a judgment of the Maltese Courts, which judgement has become definite and cannot be changed.

having seen that in the sitting held on 9 March 2024 during his examination in accordance with Art. 370(4), Art. 390(1) and Art. 392 of Chapter 9 of the Laws of Malta, 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 and the fact that the accused fully cooperated with the Police in their investigations, the Court considers that an effective jail term would be disproportionate and that a suspended sentence together with a treatment order would be appropriate in the circumstances.

## **Decision**

**For these reasons, having seen the relevant provisions of the law (Art. 18, Art. 261(f), Art. 261(g), Art. 270, Art. 271(g), Art. 281(b) and Art. 338(ff) 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 eighteen (18) months imprisonment which sentence, in line with Art. 28A of Chapter 9 of the Laws of Malta, shall not take effect unless, during three (3) 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.**

**The Court also issued a treatment order in accordance with Art. 412D of Chap. 9 of the Laws of Malta and Art. 7 of Chap. 446 of the Laws of Malta for a period of three (3) years for the benefit of the offender so as to ensure his rehabilitation from his drug and alcohol addiction in accordance with the terms and conditions laid out in the attached order. The Court explained to the offender in ordinary language his liability should he fail to comply with the conditions of this order.**

**The Court also issued a compensation order in accordance with Art 15A of Chapter 9 of the Laws of Malta and ordered the offender to pay Thomas Paul Fenech Adami (ID. 77199M) by way of compensation the amount of € 100 over a period of four (4) monthly equal instalments which amount is to be paid through the Executive Police.**

**V.G. Axiak  
Magistrate**

**Y. M. Pace  
Dep. Registrar**