



In the Court of Magistrates (Malta)
As a Court of Criminal Judicature
Magistrate Dr. Yana Micallef Stafrace LL.D.

The Police

(Inspector Charlotte Curmi)

Vs

Kartica Chopra

4th November 2024

The Court

Having seen the charges against Kartica Chopra daughter of n/a, born on the 14/04/1997 residing Anfield Court, Fl 1, Triq il-Misrah il-Barrieri, Santa Venera. ID No 0230893A.

As you have been charged with having on the 16th October, 2022 at about 04.20 hrs in Triq it-Torri, Sliema drove vehicle with registration no NAI 245;

1. In a dangerous manner; Chap 65 Art 15(1) (a) (2)
2. And drove the mentioned vehicle in a negligent manner; Chap 65 Art 15(1) (a) (2)

3. And drove the mentioned vehicle in a reckless manner; Chap 65 Art 15(1) (a) (2)
4. Moreover, through imprudence, negligence or unskillfulness in your art or profession, or non-observance of the motor vehicle regulations, collided in vehicle with registration no GVP 195 and caused involuntary damages to the detriment of Transport Malta, Chap 9 Art 328 (d)
5. drove or attempt to drive or was in charge of mentioned vehicle on the road or other public place when you were unfit to drive through drink or drugs. Chap 65 Art 15A.
6. also, you drove, attempted to drive or was in charge of the mentioned vehicle on the road or other public place after consuming so much alcohol that the proportion of it in your breath, blood or urine exceeded the prescribed limit. (0.39.3 mg/100ml) Chap 65 Art 15B.

The Prosecution requests that the mentioned person be disqualified from all his driving licenses.

The Court is humbly requested that in case of guilt, also deducts points from the driving license, as indicated in S.L. 65.18 Art 36B and in S.L. 65.18 Sixth Schedule.

Having seen Articles Art 328(d) chap 9 15(1)(a)(2) 15A 15B of chap 104 S.L. 65.18 Art 36B and in S.L. 65.18 Sixth Schedule of the laws of Malta

Having seen all the witnesses produced by the Prosecution.

Having seen that the accused chose not to testify.

Having seen all the documents, testimony and evidence in the proceedings.

Having seen the Oral submissions.

Considerations of this Court

PS 186 Kristian Mintoff, PC 953 Gennaro Vassallo and PC 1432 Daniel Spiteri gave testimony by affidavit

Considerations of this Court

There was no evidence put forward regarding the dynamics of the accident therefore there is no evidence that the accused was driving at the time of accident. Furthermore, there is no evidence that before her declaration to Police and submitting to the breathalyzer test she was given the right to an advocate and the right not to testify in order not to incriminate herself. The accused is therefore acquitted of all charges.

Decide

For these reasons and after having seen Art 328(d) chap 9 15(1)(a)(2) 15A 15B of chap 104 S.L. 65.18 Art 36B and in S.L. 65.18 Sixth Schedule of the laws of Malta finds that the accused Kartika Chopra is not guilty and acquitted of all charges.

Magistrate Dr Yana Micallef Stafrace LL.D.

Magistrate

Doris Serpina Sciberras

Deputy Registrar