



**COURT OF MAGISTRATES (MALTA)
AS A COURT OF CRIMINAL JUDICATURE**

**MAGISTRATE DR. NOEL BARTOLO
B.A., M.A. (Fin. Serv.), LL.D.**

Today 5th November, 2024

**The Police
(Inspector Christian Abela)**

vs

**Fathbardh GURAZIU (Albania Passport – BE6662311)
&
Saimir PELINKU (Albania Passport – BF6080332)**

The Court,

After having seen the charges brought against the accused: **Fathbardh GURAZIU**, 29 years , Albanian national, son of Faik & Sulltane born on the 15/09/1995 in Domen, Albania, with Albania Passport – BE6662311 and **Salmir PELINKU**, 34 years , Albanian national, son of Shaqir & Minire born on the 26/02/1990 in Shkoder, Albania, with Albania Passport – BF6080332

Accused with having on the 4th November 2024 and in the previous days in Malta, altered or tampered with, or used or had in their possession a Passport, which they knew to be forged, altered or tampered with, (Cap 61, Sec 5 of the Laws of Malta)

And charge them also with having on same period, time and circumstances, committed any other kind of forgery, or have knowingly made use of any other

forged documents, in the mentioned document (Cap 9, Sec 189 of the Laws of Malta)

And charge them also with having on same period, time and circumstances without lawful authority used or had in their possession any documents required for the purposes of this Act which is forged; (Cap 217, Sec 32 (1f) of the Laws of Malta)

The court is kindly requested to, in case of being found guilty sentence the accused to pay expenses related to the appointment of experts or architects in the proceedings as indicated in Article 533 of Chapter 9 of the Laws of Malta

Having seen all the documents in these proceedings.

Having heard both accused plead guilty to the charges brought against them, and having heard them both confirm their guilty plea after the Court warned them in the most solemn manner of the legal consequences of their guilty plea and after having given them both sufficient time within which to reconsider and/or withdraw their guilty plea and consult again with their lawyer.

Considers

That, as a consequence of the accused's admission of the charges brought against them, the said charges brought against the accused have been sufficiently proven.

With regards to the punishment to be inflicted against the accused, the Court took into consideration various factors, including: the nature of the charges brought against the accused and the submissions of the defense and prosecution during today's sitting with respect to the punishment.

Decide:

Therefore, the Court, for the above reasons and after having seen and considered *inter alia* section 5 of Chapter 61 of the Laws of Malta, section 189 of Chapter 9 of the Laws of Malta and section 32(1)(f) of Chapter 217 of the Laws of Malta finds the accused **Fathbardh GURAZIU (Albania Passport – BE6662311) and Salmir PELINKU (Albania Passport – BF6080332)**, on their own admission, guilty of the charges brought against them and condemns each one of them **to a period of six (6) months effective imprisonment.**

In relation to the request of the Prosecution as contained in the charge sheet where the Court was requested to condemn the accused, in case of guilt, for the payment of costs in connection with the appointment of experts as contemplated in Article 533 of Chapter 9 of the Laws of Malta, the Court rejects such request since no evidence has been brought forward in this regard.

Finally, the Court orders that in terms of Article 392A of Chapter 9 of the Laws of Malta the Attorney General is given access to all the records of these proceedings and to this judgment with the means and within the period of time stipulated by law.

Noel Bartolo
MAGISTRATE

Marisa Bugeja
Deputy Registrar