



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

MAGISTRATE DR. KEVAN AZZOPARDI B.A., LL.D

Today, the 20th May 2025

Case Nr: 1025/2024

The Republic of Malta

--VS--

Amrit Bhatta

The Court:

Having seen that the accused, Amrit Bhatta, twenty-three (23) years of age, son of Prem and Juna, born in Gorkha, Nepal, on the thirtieth (30) of November of the year two thousand and one (2001), residing in Block A5, Flat 6, Triq il-Frejgatina, San Pawl il-Bahar, and holder of Residence Permit Card bearing number MT8550440 and Identity Card bearing number 0358247A was presented under arrest on the 11th December 2024 and:

“And in the name of the Republic of Malta we accuse him of having, on the tenth (10th) of December of the year two thousand and twenty four (2024) between one o'clock in the afternoon (13:00hrs) and three o'clock in the afternoon (15:00hrs) in the Grand Master's Palace, St George's Square, Valletta and/or in other areas of these Islands:

1. *Wilfully, or through negligence, unskillfulness or non-observance of regulations caused damage to or destroyed any cultural property, namely walls covered in marble, painted stone walls, a balustrade, among other items, in the Magisterial Staircase of the Grand Master's Palace, whether or not such cultural property has been registered in any inventory in accordance with this Cultural Heritage Act (Chapter 445 of the Laws of Malta);*
2. *And further, in the same date, place, time and circumstances, wilfully committed any spoil, damage or injury to or upon any movable or immovable property, namely walls covered in marble, painted stone walls, a balustrade, among other items, in the Magisterial Staircase of the Grand Master's Palace, to the detriment of Heritage Malta and/or the Government of Malta, which damage exceeds two thousand and five hundred Euros (€2,500). ”*

The Court was requested that, in the event that Amrit Bhatta is found guilty for all or any of the aforementioned offences, the provisions of Article 15A et seq. of the Criminal Code (Chapter 9 of the Laws of Malta) be applied against Amrit Bhatta, in addition to any penalty or penalties established by Law;

The Court was requested that in addition to any punishment to which Amrit Bhatta may be sentenced, to operate against Amrit Bhatta the dispositions of Articles 532B and/or 533 of the Criminal Code (Chapter 9 of the Laws of Malta), and also, if the Court deems it appropriate, the dispositions of Article 532A of the Criminal Code (Chapter 9 of the Laws of Malta), in addition to any penalty or penalties established by Law;

The Court was requested that in addition to any punishment to which Amrit Bhatta may be sentenced, to condemn Amrit Bhatta to pay to the Superintendent of Cultural Heritage any cost incurred in the reintegration, or restoration of the cultural property caused by the offence, or to pay into the Cultural Heritage Fund the value of the cultural property destroyed or damaged when the same cannot be reintegrated or restored, in accordance with article 70(2) of the Cultural Heritage Act;

Having seen that on the 11th December 2024 after the prosecuting officer read and confirmed the charges on oath, the accused pleaded not guilty, however during today's sitting the accused registered a guilty plea.

Having seen the acts of the case.

Having heard the defence counsel and the prosecuting officer's final oral submissions in relation to the punishment to be inflicted upon the accused.

Considerations:

The Court, took cognisance of the fact that both the prosecution and the defence shared the opinion that the accused should not be punished with an effective jail term. The Court considered the circumstances of the case and of the accused, his clean police conduct, and particularly his age.

In view of the accused's voluntary admission, the Court has no other option but to find the accused guilty of the charges brought against him.

Conclusion:

For these reasons, the Court, having seen articles 70(1)(a) of Chapter 445, and article 325(1)(a) of Chapter 9 of the Laws of Malta, upon the admission of the accused Amrit Bhatta, holder of Residence Permit Card bearing number MT8550440 and Identity Card bearing number 0358247A, finds the said accused guilty of all the charges brought against him, and condemns him to the punishment of two (2) years imprisonment, and after having seen Article 28A of the Criminal Code, Chapter 9 of the Laws of Malta, orders that the accused be dealt with through a suspended sentence, provided that the punishment inflicted shall not begin to take place except if, during the four (4) years period that begins to run from the date of this order, the offender commits another crime punishable by imprisonment, and after that a competent court orders in terms of article 28B of the Criminal Code, Chapter 9 of the Laws of Malta that the original judgement should begin to take effect.

The Court, in terms of Article 15A and 28H of Chapter 9 of the Laws of Malta orders the accused to pay the amount of two thousand Euros (€2,000) as compensation to the injured party.

The Court, in terms of subarticle (4) of article 28A of the Criminal Code, Chapter 9 of the Laws of Malta, warned the accused about the legal consequences should he commit another crime within the prescribed operative period of the suspended sentence, as well as its duty in terms of the said article 28H.

The Court refrains from taking further cognizance of the request based on article 532A, 532B and 533 of Chapter 9 of the Laws of Malta since it does not appear from the acts of the proceedings that any experts or architects have been appointed.

The Court finally orders that the Attorney General is given access to a scanned copy of the acts of the proceedings, together with access to a scanned copy of the judgment, within six (6) working days from the date of the judgment.

Dr Kevan Azzopardi B.A. LL.D
Magistrate

Josanne Gauci
Deputy Registrar

< Final Judgement >

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