



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

**MAGISTRATE DR.
NATASHA GALEA SCIBERRAS**

Sitting of the 26 th August, 2013

Number 827/2013

**The Police
(Inspector Joseph Busuttil)**

vs

Petko Krushkov

The Court,

Having seen the charges brought against Petko Krushkov born on the 29th June 1969 in Bulgaria and residing at Rovers Return Flat 3, Triq Santa Marija, Mellieha, holder of identity card bearing number 39494 (A);

Charged with having in the Islands of Malta, in Triq il-Brankutli, St Paul's Bay on the 25th August 2013 at about 7.00am caused slight injuries by means of a knife to Mr Stoyan Stoyanov ID 51837 (A) as certified by Dr Maria Deguara MD 5424 from Mater Dei Casualty Department.

Charged also with having in Triq il-Brankutli, St Paul's Bay Malta on the 25th August 2013 at about 7.00am disturbed the public peace and order by shouting and fighting;

In case of guilt, the Court was requested to treat the accused as a recidivist as he has been found guilty by the Law Courts and such sentences are definite and may not be changed.

After having seen all the documents and acts of the proceedings including the Attorney General's consent for this case to be dealt with summarily in terms of Article 370 (4) of the Criminal code and that during his examination carried out in terms of Articles 370(4), 390(1) and 392 of Chapter 9 of the Laws of Malta upon his arraignment during the sitting held on the 26th August 2013, the accused declared that he had no objection to his case being dealt with summarily and pleaded guilty to the charges brought against him.

Having heard the accused persist in pleading guilty to the charges brought against him, after the Court in terms of Article 453 of Chapter 9 of the Laws of Malta, warned him of the legal consequences of such statement and after having allowed him time to retract such statement.

Having heard oral submissions by the parties regarding the punishment to be inflicted.

Having considered that:-

In view of the guilty plea registered by the accused, the Court cannot but find the accused guilty of the charges brought against him.

For the purpose of the punishment to be inflicted, the Court considered that both the prosecution and defence suggested that the punishment should consist of a suspended term of imprisonment. The Court also considered that the injuries caused by the accused were of a slight nature and that these were caused following a

brawl between friends, with the accused also sustaining injuries as a result.

Conclusion

For these reasons, the Court, after having seen Articles 221 (1) and 221 (2), Article 338 (dd), 49 and 50, 17(d) and 31 of Chapter 9 of the Laws of Malta, finds the accused guilty of the charges brought against him and condemns him to eighteen (18) months imprisonment which term, by application of Article 28A of Chapter 9 of the Laws of Malta, is being suspended for a period of four (4) years from the date of this judgement.

The Court explained to the person sentenced, in clear and simple language, the meaning of this judgement and the consequences in terms of law should he commit another offence punishable by imprisonment within the operative period of this judgement.

< Final Judgement >

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