



MALTA

COURT OF MAGISTRATES (MALTA)
AS A COURT OF CRIMINAL JUDICATURE
MAGISTRATE DR.
IAN FARRUGIA

Sitting of the 8 th April, 2014

Number. 788/2011

The Police

(Inspector Daniel Zammit)

Vs

Lying Zarb

Rosita Zaharieva

THE COURT;

Informal Copy of Judgement

Having seen the charges brought against Liying Zarb 48 years old, daughter of Zhao Cheng and Wang Gei Lai, born in China on the 06/02/1961, holder of ID Card number 38527A and residing at 179, Triq San Pawl, Valletta, and Rosita Zaharieva 48 years old, daughter of Todor and Lydia, born in Sofia, Bulgaria on the 16/07/1961, holder of ID Card number 26081A and residing at 44, Aaron Apts, Flit 5, Triq Qrejten, Pieta;

Accused of having between the months of December 2009 and February 2010, in St. Julians and within the Maltese islands, by means of several acts, even if at different times, which acts were committed in pursuance of the same design, committed theft from the salon 'Marion Mizzi Wellbeing' situated at the Radisson Blu Baypoint Resort, St. Julian's which theft is aggravated by amount since items stolen are worth more than two hundred thirty two euro and ninety four cents (€232.94) but less than two thousand three hundred twenty nine euro and thirty seven cents (€2329,37) and by person, and which theft was committed to the detriment of the directors and owners of said shop. (Art. 18, 261(c), 261(d), 267, 268(d), 279(a), 280 Chapter 9).

Having seen all the documents exhibited in the acts of these proceedings;

Having seen that both accused pleaded not guilty to the charge brought against them during the examination of the 10th October 2012;

Having seen the minutes of today's hearing;

Having heard submissions by the prosecution and the defence;

Considers;

Informal Copy of Judgement

That as regards the merits of the case, the prosecution produced solely the relative statements released by both accused during the investigations into a report filed by the representative of Marion Mizzi Wellbeing salon. Petra Vella, on behalf of the said salon, had later informed the prosecuting officer that their original report was based on a miscalculated analysis of facts and that she was sorry for such an unfortunate inconvenience caused. Faced with this development, prosecuting officer declared that there was no more evidence to produce. The charge as brought against both accused is unsustainable from their statements released as aforesaid.

Therefore, The Court, having seen all the acts of these proceedings, finds and declares accused Liying Zarb and Rosita Zaharieva not guilty as charged and are therefore both being acquitted according to law.

< Final Judgement >

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