

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

MAGISTRATE
DR TONIO MICALLEF TRIGONA LL.D., Mag. Juris (EU Law)

This 18th day of September 2001.

559/01

The Police
The Principal Immigration Officer,
(Inspector Sandro Zarb)
vs
Zarghun Shah.

Inspector Sandro Zarb, son of Joseph, born at Pieta`, stationed at the Immigration Section, Police HQ, Floriana, in the English language, on oath, in the presence of the accused, states:

I arraign under arrest;

Zarghun Shah, 29 years, Pakistani national, son of Gut Khan and Razwi, born at Ramunsha, Peshaviar in 1972 and residing at Number 6, Sukur Zahab, Dubai.

And charge him with having on the 16th September 2001, at the Malta International Airport, forged, altered or tampered with a passport or used or had in his possession a passport which he knew to be forged, altered or tampered with.(Chap 61 Section 5)

Therefore the Court is humbly requested that besides awarding the punishments according to Law, to declare the above mentioned person a prohibited immigrant and to issue a Removal Order against him in terms of Section 15 of Chapter 217 of the Laws of Malta.

The Court declares that this is the evidence of Inspector Sandro Zarb as dictated by the Court in his presence and in the presence of the accused.

A . M. Trigona
Magistrate

I declare that I have to the best of my ability diligently transcribed the registration of the tape.

Albert P. Calleja,
Deputy Registrar.

QORTI TAL-MAGISTRATI (MALTA)
COURT OF MAGISTRATES (MALTA)

REGISTRAZZJONI TA' PROCEDIMENTI B'MEZZI ELETTRO-MANJETICI
RECORDING OF PROCEEDINGS BY ELECTRO-MAGNETIC MEANS

MAGISTRAT DR. ANTONIO MICALLEF TRIGONA LL.D., Mag. Jur (EU Law)
MAGISTRATE DR. ANTONIO MICALLEF TRIGONA LL.D., Mag. Jur (EU Law)

Illum 18 ta' Settembru 2001.
This day of 2001.

Il-Qorti:
The Court:

Rat l-artikoli 3 u 4 ta' l-Att Dwar ir-Registrazzjoni Elettro-Manjetici ta' Procedimenti (Kapitolu 284 tal-Ligijiet ta' Malta);
Having seen sections 3 and 4 of the Electro-Magnetic Recording of Proceedings Act (Chapter 284 of the Laws of Malta);

Tordna li dawn il-proceduri kif ukoll is-sustanza tax-xhieda tigi registrata b'mezzi elettro-manjetici u illi ssir it-traskrizzjoni taghhom skond il-ligi.
Orders that these proceedings as well as the substance of the evidence be recorded by electro-magnetic means and the proceedings be transcribed according to law.

Magistrat.
Magistrate.

(ft) Skrivan ta' l-Awla
(Sgd) Hall Clerk.

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

MAGISTRATE
DR TONIO MICALLEF TRIGONA LL.D., Mag. Juris (EU Law)

This 28th day of September 2001.

The Police
The Principal Immigration Officer,
(Inspector Sandro Zarb)
vs
Zarghun Shah.

Inspector Sandro Zarb, son of Joseph, born at Pieta`, stationed at the Immigration Section, Police HQ, Floriana, in the English language, on oath, in the presence of the accused, states:

On the 16th instant it was early afternoon and on a Emirates flight from Dubai three passengers presented themselves to travel interline on an Air Malta flight to Heathrow, London.

The three persons were an Afghan national, and two Pakistani nationals, one of them being the accused.

The accused and the Afghan national were found to have on their passports false entry visas to the USA.

From further investigation it was established that the accused, whom I recognise present in Court, had in possession a Pakistani passport which had been reported stolen blank in 1997.

On the 17th of September the accused was questioned and he was given the due caution required by law in the presence of the interpreter and PS 1127 Frank Bonello.

The accused stated that he had bought the passport in Pakistan for twelve thousand Ithrams (12,000). He also stated that his intention was to request asylum in England before boarding a flight for New York.

Evidence suspended as the accused declared, through the interpreter, that he is changing his plea of not guilty to a plea of guilty.

The Court declares that this is the evidence of Inspector Sandro Zard as dictated by the Court in his presence and in the presence of the accused.

A . M. Trigona
Magistrate

I declare that I have to the best of my ability diligently transcribed the registration of the tape.

Albert P. Calleja,
Deputy Registrar.



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

MAGISTRATE
DR TONIO MICALLEF TRIGONA LL.D., Mag. Juris (EU Law)

This 28th day of September 2001.

559/01

The Police
The Principal Immigration Officer,
(Inspector Sandro Zarb)
vs
Zarghun Shah.

The Court:

Having seen the charges against the accused:

Zarghun Shah, 29 years, Pakistani national, son of Gut Khan and Razwi, born at Ramunsha, Peshaviar in 1972 and residing at Number 6, Sukur Zahab, Dubai.

Charged with having on the 16th September 2001, at the Malta International Airport, forged, altered or tampered with a passport or used or had in his possession a passport which he knew to be forged, altered or tampered with. (Chapter 61 Section 5)

Having heard the prosecution's request, that besides awarding punishment according to law, to declare the above mentioned person as a prohibited immigrant and issues a Removal Order against him in terms of Section 15 of Chapter 217 of the Laws of Malta.

Having seen the relevant documents and exhibits.

Considers:

Having ascertained that the accused understood the charges and having heard the accused plead guilty as charged through a Court appointed interpreter;

Having considered the voluntary and unconditional plea of guilt finds the accused guilty as charged;

Finds him guilty as charged and:

Having seen Section 5 of Chapter 61 condemns him to six months imprisonment, and by the application of Article 28A of Chapter 9 of the Laws of Malta, orders that the sentence shall not take effect unless, during the period of one year from today, the offender commits another offence punishable with imprisonment.

Having seen Section 14 of Chapter 217 orders the issue against the accused of a Removal Order from these Islands according to attached forms.

The Court explained the import of the sentence to the accused.

A . M. Trigona
Magistrate.

I declare that I have transcribed honestly and faithfully, and to the best of my knowledge the registration of the tape.

Albert P. Calleja,
Deputy Registrar.