

საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



With assistance of a lawyer from GYLA's Tbilisi office, D.K. the defendant, has been dismissed from the courtroom

The lawyer from GYLA's Tbilisi office was representing defendant D.K.'s interests in the criminal case before the court.

D.K. has been accused as per Article 19-178(3) of the Penal Code of Georgia, attempt of robbery by a group with advance agreement envisaging deprivation of liberty from 5 to 8 years.

According to submitted charges, on April 11, 2013 the defendant, jointly with his friend I.N. attempted to seize taxi driver's money for illegal appropriation, however, the driver managed to escape and defendants failed to implement their intent.

Prosecution based its position merely on the testimony of a taxi driver, as well as on the statements of law enforcement representatives, which on its turn was grounded on driver's narration and therefore was an indirect evidence.

According to the defense's position, D.K. and taxi driver had conflict generated on the private motives and defendants had no intent of robbery.

The court upheld argumentation of the defense and D.K. was considered innocent in submitted charges. Furthermore, his conduct was recognized as threat as per Article 151 of the Penal Code of Georgia and he was sentenced to payment of fine in the amount of GEL 3000. Moreover, as per Article 62(5) of the Penal Code, in view of the already passed pre-trial detention period, the sentence was considered served and D.K. was released from the courtroom.