

This translation is comprised of:  
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File Number: OV-HE-260-10-13

Date: 15 October 2013

**AN AUTHORIZED ENGLISH TRANSLATION**

**Marko Kallay, lawyer**

**SWORN-IN-COURT INTERPRETER OF ENGLISH AND GERMAN**



Lingua Express d.o.o.  
za usluge prevođenja

Marko Kallay, dipl. iur.  
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File Number: 9.K-99/2013

**REPUBLIC OF CROATIA**

**RESOLUTION**

The **Municipal Criminal Court in Zagreb**, represented by the judge of that court Natalija Glumičić Ščekić, acting individually, in the criminal case against the **defendant VESNA STILIN** for the crime set forth in Article 200, paragraph 2 of the Criminal Code (Official Gazette 110/97, 27/98, 50/00, 129/00, 51/01, 111/03, 190/03, 105/04, 84/05, 71/06, 110/07, 152/08 and 57/11 – hereinafter referred to as CC/97), following a private suit filed by the private plaintiff Željko Topić of 22 April 2013

**r e s o l v e d**  
**as follows on 30 September 2013:**

Pursuant to Article 525, paragraph 2, in connection with Article 61, paragraph 1 of CPA (Official Gazette 152/08, 76/09, 80/11, 91/11 and 143/12 – hereinafter referred to as CPA/08), the private suit filed by the private plaintiff Željko Topić of 22 April 2013 against the defendant Vesna Stilin for the crime set forth in Article 200, paragraph 2 of CC/97) is hereby **dismissed**.

Statement of Reasons:

According to the hereinabove first mentioned private suit of the private plaintiff Željko Topić, filed by his attorney Janjko Grlić, an attorney-at-law of Zagreb, of the Gajski, Grlić, Prka, Saucha & Partneri law firm, the defendant Vesna Stilin is charged with committing five crimes of slander as provided for in Article 200, paragraphs 1 and 2 of CC/97.

Having examined such private suit, the court found there to be grounds for its dismissal. It is required by the provision of Article 61, paragraph 1 of CPA/08 that suit for privately prosecuted crimes is to be filed within 3 (three) months following the date an authorized natural or legal person becomes aware of the crime and the perpetrator.

As the factual description of the crime provided in the private suit clearly demonstrates that the defendant is charged with committing the crimes under item 1 between 22 December 2011 and 5 December 2012, under item 2 on 16 September 2009, under item 3 on 20 May 2011, under item 3 between 22 March and 11 April 2012, and under item 5 on 30 July 2011, and as the private suit was filed at this court directly on 22 April 2013, it is clear that it was in any event filed after the above referenced period of 3 (three) months.

It does not arise from the factual description or any attachments to the private suit that the private plaintiff would become aware of the perpetrator or the crime within the statutory time limit of 3 (three) months in accordance with the provision of Article 161, paragraph 1 of CPA/08, which is why the court dismissed the private suit pursuant to the above referenced provision of law.

It was consequently resolved as per the disposition hereof.

Zagreb, 30 September 2013

JUDGE:

Natalija Glumičić Ščekić, signed

APPEAL NOTICE:

The parties may appeal this Resolution within three (3) day of receiving its written copy. Such appeal should be submitted in four (4) counterparts and shall be resolved by the County Court in Zagreb.

Authorized officer certifying the accuracy of the copy  
Snježana Perišić  
(signature and stamp)

Received 2.10.2013  
(signature)

**THE END OF THE TRANSLATION**

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**Hereby I, MARKO KALLAY, Attorney-at-Law from Zagreb, sworn-in-court interpreter of English and German, do hereby declare and certify that the above translation fully corresponds to its original rendered in the Croatian language. Appointed thereto by the decision of the County Court, File No. 4 Su-1225/10 of December 8<sup>th</sup>, 2010.  
Translation issued under File No.: OV-HE-260-10-13**

Zagreb, 15 October 2013

Signature: **Marko Kallay, lawyer**





Poslovni broj: 9. K-99/2013

## REPUBLIKA HRVATSKA

### RJEŠENJE

**Općinski kazneni sud u Zagrebu**, po sucu toga suda Nataliji Glumičić Ščekić kao sucu pojedincu, u kaznenom predmetu protiv **okrivljene VESNE STILIN**, zbog kaznenog djela iz članka 200 stavak 2 KZ (NN 110/97, 27/98, 50/00, 129/00, 51/01, 111/03, 190/03, 105/04, 84/05, 71/06, 110/07, 152/08 i 57/11-u daljnjem tekstu KZ/97), povodom privatne tužbe privatnog tužitelj Željka Topića od 22. travnja 2013. godine, **dana 30. rujna 2013. godine**

#### r i j e š i o j e:

Temeljem članka 525 stavak 2 u svezi članka 61 stavak 1 ZKP (NN 152/08, 76/09, 80/11, 91/11 i 143/12 – u daljnjem tekstu ZKP/08 **o d b a c u j e s e** privatna tužba privatnog tužitelj Željka Topića od 22. travnja 2013. godine, protiv okrivljene Vesne Stilin, zbog kaznenog djela iz članka 200 stavak 2 KZ/97.

#### Obrazloženje:

Uvodno citiranom privatnom tužbom privatnog tužitelja Željka Topić podnesene po punomoćniku Janjku Grlić, odvjetniku iz Zagreba, iz odvjetničkog društva Gajski, Grlić, Prka, Saucha&Partneri, okrivljenoj Vesni Stilin stavlja se na teret da je počinila pet kaznenih djela klevete iz članka 200 stavka 1 i 2 KZ/97.

Prethodno ispitujući ovakovu privatnu tužbu sud je utvrdio da postoje uvjeti za njeno odbacivanje. Naime, odredbom članka 61 stavak 1 ZKP/08 propisano je da se tužba za kaznena djela za koja se progoni po privatnoj tužbi, mora podnijeti u roku od 3 (tri) mjeseca od dana kada je ovlaštena fizička ili pravna osoba saznala za kazneno djelo i počinitelja.

Kako je prema činjeničnom opisu djela iz privatne tužbe evidentno da se okrivljenoj stavlja na teret počinjenje kaznenih djela i to pod točkom 1. od 22. prosinca 2011. do 05. prosinca 2012., pod točkom 2. 16. rujna 2009., pod točkom 3. 20. svibnja 2011., pod točkom 3. u razdoblju od 22. ožujka do 11. travnja 2012., te pod točkom 5. 30. srpnja 2011. godine, a da je privatna tužba zaprimljena na ovome sudu neposredno 22. travnja 2013. godine, evidentno je da je ista podnesena u svakom slučaju protekom roka od 3 (tri) mjeseca.

Naime, niti iz činjeničnog opisa, a niti iz priloga koji prileže privatnoj tužbi ne proizlazi da bi privatni tužitelj saznao za počinitelja odnosno kazneno djelo u

zakonskom roku od 3 (tri) mjeseca, a sukladno odredbi članka 161 stavak 1 ZKP/08 pa je iz tog razloga sud privatnu tužbu odbacio temeljem citirane zakonske odredbe.

Slijedom izloženog riješeno je kao u izreci.

U Zagrebu, 30. rujna 2013. godine

SUDAC:

Natalija Glumičić Ščekić v.r.

UPUTA O PRAVU NA ŽALBU:

Protiv ovog rješenja stranke imaju pravo žalbe u roku od tri (3) dana od dana primitka pisanog opravka. Žalba se podnosi u četiri (4) istovjetna primjerka, a o njoj odlučuje Županijski sud u Zagrebu.

Za točnost opravka – ovlašteni službenik  
Snježana Perišić



Primito 2. 10. 2013.

Pl. Perišić

