



C/2024/2590

22.4.2024

**Request for a preliminary ruling from the Sofiyski gradski sad (Bulgaria) lodged on 11 January 2024 –
Criminal proceedings against YR, WV, AN, WY**

(Case C-16/24, Sinalov ⁽¹⁾)

(C/2024/2590)

Language of the case: Bulgarian

Referring court

Sofiyski gradski sad

Parties to the main proceedings

YR, WV, AN, WY

Questions referred

Is it compatible with Article 19([1] subparagraph 2] TEU and Article 47 of the Charter to interpret a national law envisaging, as a principle for administration of justice, random selection among judges in order to determine which one of them is to handle and rule on a criminal case, to the effect that, in the event of doubts as to whether the principle has been breached in a case already allocated by the head of court management, these doubts are to be resolved

1. as a court matter and the court handling the case – including after hearing the parties and in the appeal proceedings – shall rule thereon, or
2. as an administrative matter and only the head of court management has the power to make this assessment,

and furthermore to interpret such a national law to the effect that, if the judge to whom the case has been allocated is of the view that, in accordance with the aforementioned principle, another judge should handle the case and refers the case to this judge and the second judge who has received the case decides first to hear the parties in adversarial proceedings and then to make a decision autonomously as to the issue of his own jurisdiction, these two judges are committing a disciplinary offence in that their conduct is damaging to the reputation of the judiciary and is in breach of their official duties?

⁽¹⁾ The present case is designated by a fictitious name which does not correspond to the actual name of a party to the proceedings.