

THE CONCEPT AND ESSENCE OF CRIMES AGAINST JUSTICE THAT ENCROACH ON THE IMAGE AND ACTIVITIES OF INVESTIGATIVE AND JUDICIAL BODIES PROBLEMS OF QUALIFICATION OF CRIMES AGAINST CERTAIN TYPES OF JUSTICE

Anorboev Murodjon Rakhmankul ugli

PhD in LAW, Teacher of the Academy of LAW ENFORCEMENT OF THE REPUBLIC OF UZBEKISTAN

murodjonAnorboev2402@gmail.com

ABSTRACT This thesis covers the concept and essence of crimes against Justice, which encroach on the image and activities of the investigative and judicial authorities, and analyzes these crimes. As a result of the analysis, proposals and recommendations have been developed on the concept and essence of crimes against Justice, which encroach on the image and activities of the investigative and judicial authorities

KEYWORDS: crimes against justice, activities of investigative and judicial bodies, interference in the investigation or resolution of court cases, criminal code, non-execution of a court decision.

I. INTRODUCTION. In our Constitution, the court acts independently of individual authorities, the judiciary - from the legislative and executive authorities, political parties, other public associations, judges are independent, they obey only the law, it is not allowed to interfere in any way in the activities of judges to administer Justice. It was firmly established that everyone is guaranteed the right to defend their rights and freedoms through the courts, to appeal to the court with complaints about the illegal behavior of state bodies, officials, public associations.

In accordance with the content of these constitutional norms, large-scale organizational and legal measures have been implemented aimed at ensuring the independence of the court, turning it into an independent State institution, including one that serves as a reliable protection of human rights and freedoms. In particular, the judicial system was completely removed from the control and influence of the executive branch.

The powers of the courts were consistently expanded and at the same time relieved of their uncharacteristic duties, including depriving the courts of the authority to initiate a criminal case, publish indictments in a criminal case. Judicial control over the preliminary investigation was tightened, and the necessary amendments were made to the legislative norms in order to seriously limit the interference of the prosecutor's office in the judicial process. [1]

II. METHODOLOGY As components of the methodology, the author used general scientific methods, which involve the study of all phenomena and processes in their development, interconnection and interdependence, as well as special methods. In particular, the methods of dialectical materialism, system analysis, analysis and synthesis, logical, historical, comparative-legal, formal-legal used.

III. DISCUSSION

This interpretation, voiced at a meeting of video directors chaired by the President of the Republic of Uzbekistan Shavkat Mirziyoyev, dedicated to discussing the tasks of ensuring justice and combating corruption, embodies all the requirements of today in this area.

Humanity always craves a fair way of life, the fact that everything is decided in the way of life. The judicial system, on the other hand, is responsible for the rule of law, the stability of

truth and the prosperity of justice in society. Since the courts make fair decisions, the laws do not lose their priority, the truth is not revealed, and people are not humiliated. [2]

A number of experts, judges and deputies of the judicial sphere expressed their opinion on the nature and importance of the tasks set by the head of state in this regard.

In this regard, the reason for the allocation of crimes against justice in the Criminal Code in a separate chapter is also explained by the extreme necessity of judicial activity for the state and society, as well as the need for special protection of justice from criminal offenses. Chapter XVI of the Criminal Code is called "crimes against justice", and in the theory of criminal law, these crimes are distinguished as crimes that infringe on the normal functioning of the bodies that administer justice. According to the Constitution of the Republic of Uzbekistan, it is established that justice is carried out only by the courts.

The scientist and lawyer Z.H.Gulyamov described the concept of crimes against justice as deliberate actions that harm the interests of justice and the individual by violating the laws governing inquiry, preliminary investigation, trial and punishment by the investigator, investigator, prosecutor, court, as well as other citizens, and thus hinder the performance of the duties of the investigator. a court for the administration of justice in criminal or civil cases. [3] B.F.Yusupov came to the conclusion that in the case of crimes against justice, "we are talking about the sum of intentional socially dangerous acts that harm the interests of justice and persons by violating the laws on the procedure of inquiry, preliminary investigation and judicial proceedings by an inquirer, investigator, prosecutor, judge, as well as other participants in the criminal process, as well as officials and citizens".[4]

In our opinion, crimes against justice are a set of socially dangerous acts committed by an inquirer, investigator, prosecutor, judge, as well as other participants in the judicial process, as well as officials and citizens in violation of the laws on pre-investigation verification, preliminary investigation and judicial proceedings, in order to harm the interests of the individual, society and the state, hindering the execution of tasks

It is known that criminal legislation provides for liability for criminal acts that harm public relations, gross violation of human rights and freedoms and legitimate interests, and also provides for punitive measures. These include crimes directed against the interests of justice. Unlike other groups of criminal assaults, crimes against justice can be classified according to their subjects. In particular, in some legal literature, crimes against justice are divided into three groups:

- 1) crimes committed by persons authorized to exercise the functions of justice;
- 2) crimes committed by persons against whom measures of procedural coercion are applied;
- 3) crimes committed by persons whose duty to administer justice is a civil duty or assigned to them by law. [5]

Z.H.Gulyamov studies crimes against justice in four separate groups:

- 1) crimes against justice that infringe on the image and activities of investigative and judicial bodies. These include articles on interference in the investigation or resolution of court cases (Article 236 of the Criminal Code), non-execution of a court decision (Article 232 of the Criminal Code);

- 2) crimes against justice committed by persons conducting an inquiry, an investigative prosecutor or judges. They include: bringing an innocent person to justice

(Article 230 of the Criminal Code), unfair judicial decision, settlement agreement, sentence or ruling part (Article 231 of the Criminal Code), illegal detention or arrest (Article

234 of the Criminal Code), torture and other cruel, inhuman or degrading treatment and punishment (Article 235 of the Criminal Code);

3) crimes committed by persons involved in the administration of justice. They include illegal disposal of seized property (Article 233 of the Criminal Code), false report (Article 237 of the Criminal Code), perjury (Article 238 of the Criminal Code), request or disclosure of information of the preliminary investigation (Article 239 of the Criminal Code);

4) crimes against justice committed by other persons. This group covers the following crimes: failure to report a crime (Article 241, part 1 of the Criminal Code), concealment of a crime (Article 241, part 2 of the Criminal Code). In our opinion, the final definition is much more perfect than that of the previous authors. [6]

We consider it appropriate to conduct a study of crimes against justice, dividing them into three groups:

1) the activities of the investigative body and judicial authorities of crimes against justice that infringe on its reputation and reputation: interference in the investigation or settlement of court cases (Article 236 of the Criminal Code), non-execution of a court decision (Article 232 of the Criminal Code), deliberate concealment of a crime from accounting (Article 241¹ of the Criminal Code);

2) Crimes against justice committed by entities directly exercising justice: bringing to justice an innocent person (Article 230 of the Criminal Code), passing an unfair sentence, resolution, resolution or resolution (Article 231 of the Criminal Code), illegal detention or arrest (Article 234 of the Criminal Code), the use of torture and other cruel, inhuman or degrading forms treatment and punishment (Article 235 of the Criminal Code);

3) crimes committed by persons involved in the administration of justice: illegal disposal of mortgaged property (Article 233 of the Criminal Code), perjury (Article 237 of the Criminal Code), perjury (Article 238 of the Criminal Code), disclosure of information of inquiry or preliminary investigation (Article 239 of the Criminal Code).), not to report a crime (part 1 of Article 241 of the Criminal Code), conceal a crime (Part 2 of Article 241 of the Criminal Code).

Justice has long been the criterion of a peaceful and prosperous life for our people, the source of all good things, our great Grandfather Amir Temur guided by the wisdom of "strength in justice", noting that the organization of public administration, ensuring peace and prosperity of the country have been achieved, today the most important task is to ensure the rule of law and justice in building a democratic state based on the rule of law, civil society in our country. [7] The role and importance of the judicial system, which is an independent branch of State power, is enormous in this regard. We feel this fact more and more deeply today, in the process of large-scale reforms aimed at bringing the development of our country to a new level. According to the President of Uzbekistan Shavkat Mirziyoyev, "everyone who comes to the courthouse should leave, believing that there is justice in Uzbekistan. Justice must be carried out in front of the people, openly and fairly." [8] Not only strict compliance with the law by judicial and investigative bodies, but also the prevention of internal or external interference in the legal activities of these bodies directly depends on the full-fledged successful fulfillment of the tasks of justice.

Due to the above circumstances, legal norms have been established regarding the adoption of decisive measures against crimes against justice. [9]The establishment of such measures of responsibility in relation to crimes against justice that infringe on the reputation and activities of investigative and judicial authorities is becoming important in preventing the commission of these acts.

IV. CONCLUSION:

The consolidation of this crime in the Criminal Code as a dangerous act is explained by the fact that it can cause serious damage to the interests of society, or rather, the Institution of justice, which is an independent link in the separation of powers, a separate branch of state power, a defender of citizens.

Instead of concluding, we can say that the provisions on the judicial and legal system set out in the new Constitution are being improved as the main factor in the administration of justice in special legislation.

The main thing is that the new Constitution of Uzbekistan serves as the basis for reforms related to the fundamental reform of the judicial and legal system and the protection of human rights and freedoms in our country.

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