



## CONCEPT AND CONTENT OF CRIME SOLVING IN CRIMINAL PROCEEDINGS

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**Abstract:** The content of the criminal procedural concept of crime solving is scientifically explained. The correct application of the concept of crime solving has great scientific, methodological, and practical significance in addressing the issues of criminal procedure.

**Keywords:** c

Today, examining the content of the concept of crime solving is one of the important issues. The concept of crime solving must have a clear legal basis. The legal definition of the concept of crime solving serves to understand its concept and essence. The procedural concept of solving crimes is linked to a specific procedural decision in a case. Often, this decision is associated with establishing factual information about the crime and the person guilty of committing it to the extent that allows for prosecution. The concept of crime solving also includes determining the point at which a crime can be considered solved. Article 2 of the Criminal Procedure Code of the Republic of Uzbekistan defines the tasks of criminal procedure legislation and establishes the quick and complete solving of crimes as one of its main tasks. The term "solving crimes" is a distinct concept, and this concept has always been the subject of various discussions and debates among scholars and practicing lawyers (inquirers, investigators, officials of bodies carrying out operational-search measures, prosecutors, and courts). Today, based on the needs of science and practice, to uniformly understand this concept, there is a need for a scientific review of the concept and essence of crime solving. The results of studies by well-known scientists and practitioners who examined this concept in different historical periods (more than 30) show that, despite many years of debates, a universally recognized unified concept has not yet been reflected in the norms of the law. To date, researchers have expressed their personal scientific opinions on the concept of crime solving.

Two factors are crucial in defining the concept of solving a crime:

1. Determining the limits of authority of officials authorized to solve crimes;
2. Identifying the circumstances that must be proven in a criminal case;
3. Establishing the elements of the crime and identifying the person who committed it;
4. Crime

The content of the concept of solving a crime is directly related to the factors mentioned above. Although the Criminal Procedure Code of the Republic of Uzbekistan does not define the concept of solving a crime, it establishes the procedural order for doing so. The concept of solving a crime stems from the activities of authorized officials, as well as the circumstances to be proven and the involvement of the person who committed the crime. Scholars have expressed various opinions regarding the concept of crime detection. In particular, B.N. Rashidov provided the following definition for the concept of solving a crime. He stated that to

understand the meaning of solving a crime, it is necessary to comprehend the phrases "solving a crime," "quickly solving a crime," and "fully solving a crime." Solving a crime means establishing the identity (and whereabouts) of the person who committed the crime and those who participated in its commission. Quickly solving a crime means identifying the perpetrator and their location within a short period, either immediately or within ten days of the crime's discovery. "Immediately" refers to apprehending the perpetrator at the scene or right after committing the crime. Fully solving a crime involves not only identifying the perpetrator but also uncovering their accomplices and other criminal acts[1]. R. S. Belkin asserts that there is no independent theory of crime detection, nor can there be one[2]. According to L. Ya. Drapkin, solving crimes primarily involves eliminating complex problematic situations and replacing them with non-problematic (simple) situations[3]. However, these scholarly opinions and considerations do not fully elucidate the meaning of the concept of crime detection. Regarding the concept of crime detection, A.A. Vinogradov suggests that a crime is considered solved from the moment a potential perpetrator is identified and apprehended. V.Ya. Robozarov notes the following on this issue: "When defining the concept of solving a crime, it is necessary to consider the different forms of crime-solving. Therefore, it is logical to distinguish between the procedural, forensic, and operational-investigative aspects of the concept under consideration"[4].

In the opinion expressed by the scientist, the methods of solving the crime are described. This scientist assumes that the content of the concept of solving a crime depends on the person who committed the crime. In a certain sense, the opinion expressed by the scientist serves to partially illuminate the concept of solving a crime. When explaining the concept of crime detection, the perpetrator is always at the center of attention. However, circumstances related to the commission of a crime by a person are always left aside. When explaining the essence of the concept of solving a crime, it is necessary to fully cover the person who committed the crime, the actions performed by him in the process of committing the crime, the results of committing the crime, and the amount of damage caused. Moreover, the concept of crime detection is closely related to the officials authorized to solve the crime. The broader meaning of this concept lies in the fact that the entry into legal force of a court verdict is also important for it. The concept of crime detection plays an important role in fully illuminating the content of the concept of crime detection. Detection of crimes means finding its signs, identifying and finding persons preparing, committing, or having committed a crime. A.E. Chechetin emphasizes that "the task of identifying crimes includes three structural elements: identifying the persons who committed them, resolving the issue of initiating criminal proceedings, and determining the victim's side"[5]. The victim plays an important role in solving a crime when the identity of the perpetrator is unknown and the traces of the crime are not clearly visible. Based on the foregoing, it is advisable to define the concept of solving a crime as follows.

The disclosure of a crime is understood as the issuance by the court of a verdict on the guilt of a person based on the evidence collected, examined, and evaluated during the investigation and judicial review of the initiated criminal case by an official of the pre-investigation verification body, an investigator, an inquiry officer, by conducting investigative actions and operational-search measures within the established timeframe to identify the persons who committed the crime and prove their involvement in the committed crime.



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