

LEGAL SIGNIFICANCE OF THE RESULTS OF RAPID SEARCH ACTIVITY THE IN EXPOSING OF CRIMES THE REPUBLIC OF UZBEKISTAN

Karabaev Oybek Ravshanovich

Senior Lecturer of the Academy of the Ministry of Internal Affairs of the Republic of Uzbekistan

ABSTRACT

The article describes the operational search activities in the Republic of Uzbekistan the use of information and material items obtained during the activities carried out by the implementing agencies as evidence in the course of the investigation was studied.

Keywords: crime detection, results, documents, information, operational-search activities, tasks of operational-search activities, authority.

INTRODUCTION

Our country is preparing for the election of the President of the Republic of Uzbekistan, an important political process that directly affects the lives of all of us. All the reforms being carried out in our country are one and the same, that is, to live a happy life, which is a necessary factor for people, not only all citizens of Uzbekistan, but also those who have visited our country for various purposes, such as travel (tourism), work , citizens from abroad who come to visit and visit are also feeling, seeing and making sure.

Because in 2019, Uzbekistan was included in the list of the safest countries for tourism and ranked 46th in the world, while it is both an honor and a responsibility for all of us to take the first place among the CIS countries.

Continuing with the above, the speeches of President Shavkat Miromonovich Mirziyoyev during a meeting with voters in Samarkand region during the election campaign program were impressive and humane. it is no exaggeration to say.

As stated by the President of the Republic of Uzbekistan in his address to the Oliy Majlis in December 2019, "In order for people to live in peace, we must create a crime-free environment throughout the country. No matter how difficult it may be, we must create the principle of "criminal truth and justice" even in remote areas. That is, the crime must be unconditionally exposed and the guilty must be punished. ".

The main purpose of crime detection is to protect and ensure human rights. In this process, operational search activities are widely used, and the results obtained should be duly documented by the procedural. In this regard, the head of state said that "the essence and ultimate goal of the state policy pursued in our country today is to be constantly aware of the concerns, problems and needs of our people, to increase their material well-being, ensure a decent standard of living and protect peaceful life", - they said.

The results of a rapid search operation are information in terms of procedural significance, usually based on a set of data obtained from various sources and quickly verified. This information may be in the form of paper, electronic or other media, or it may be non-verbal (audio, audio) information.

The results of operational search activities, in general, are contained in operational documents (notifications, information, reports, acts of the officer, as well as explanatory letters of participants of operational search activities or applications of citizens, acts or other documents of this or that agency -jats and so on). Items and documents obtained during search operations may be attached to the emergency service documents.

The results of operational search activities are carried out on material (physical) media (phonograms, videos, films, photographs, photographs, magnetic and laser disks, molds, etc.). Even such information can be considered as two types of information: factual information or factual information.

Therefore, when the results of operational search activities are presented and used in criminal proceedings, it is not a question of documented sources of information, but rather of their sources and (or) facts that can be confirmed procedurally. goes Operational search documents are a means of recording information, facilitating the collection and verification of evidence, recording the signs of socially dangerous acts and information about the persons who prepared, committed or committed it.

The legal basis for the use of the results of operational search activities is the Criminal Procedure Code of the Republic of Uzbekistan, the Law of the Republic of Uzbekistan "On operational search activities", as well as relevant departmental regulations governing cooperation.

The results of a quick-search activity are, in a procedural sense, information that is usually based on a set of data obtained from a variety of sources and quickly verified. This information may be in the form of paper, electronic or other media, or it may be oral information that is not documented.

For example, this information is recorded in the operational documents, which record the progress of search operations and are compiled in accordance with departmental regulations; in photo-film, audio and video materials carried out in the course of search operations; can be expressed in the information received from citizens.

The documents themselves are not considered the results of operational search activities, because they reflect the information received by the subject of operational search activities and only record the results of the actions of this subject. Consequently, the results of operational search activities are not the sources of operational documents, but the information contained in them. In other words, the results of this field are not factual information, but factual information.

The results of operational search activities shall be used only for the performance of the tasks assigned to the bodies carrying out operational search activities.

Materials of operative-search activity should be the basis for the initiation of a criminal case, submission to the inquiry, investigation bodies, the prosecutor for the preparation and conduct of investigative actions, as well as from these materials to the norms of the Criminal Procedure Code of the Republic of Uzbekistan. can be used to prove in appropriate criminal cases.

The results of search operations conducted in accordance with the provisions of Article 16 of the Law "On operational search activities" may be recognized as evidence after examination and evaluation in accordance with the Criminal Procedure Code of the Republic of Uzbekistan.

The results of operational search activities shall be submitted to the inquiry, investigation bodies, and the procurator on the basis of a decision approved by the head of the body carrying out operational search activities, together with the materials obtained as a result of the use of technical means. The volume of submitted materials is determined by the head of the body carrying out operational search activities in the manner prescribed by law.

When presenting the results of operational search activities and using them in criminal proceedings, it is not a question of documentary carriers of information, but rather of sources and (or) facts that can be more procedurally verified. Operational documents are a means of recording information, which facilitates the collection and verification of evidence, recording information about socially dangerous acts and the characteristics of the persons who prepared, committed or committed them.

According to the results of operational search activities:

- As a basis for instituting criminal proceedings;
- For the preparation and conduct of investigative actions;
- In proving criminal cases in accordance with the provisions of the criminal procedure legislation of the Republic of Uzbekistan;
- To carry out operative-search activities aimed at detecting, preventing, stopping and exposing crimes, identifying and finding those who are preparing for, committing or committing these crimes, as well as absconding from the bodies of inquiry, investigation and court used to search for missing persons.

Also, in the documents of the law on operational search, the bodies carrying out operational search activities within their competence have the right to collect the information necessary to make a decision on:

- Involvement in activities related to the use of information constituting a state secret or other secret protected by law, or the use of critical and classified objects;
- Permission to use the materials obtained as a result of participation in operational activities or their implementation;
- On the establishment or maintenance of cooperation with persons assisting the body carrying out operational search activities, which, in turn, determines the direction of use of the results of these activities.

It should be noted once again that the results of operational search activities are used only to perform the tasks assigned to the bodies carrying out operational search activities.

The feature of direct identification of criminal signs as a basis for instituting criminal proceedings is that by the time of drawing up the relevant documents, a set of factual data indicating criminal signs will be sufficient to initiate criminal proceedings.

If the inquiry body authorized to carry out operational search activities detects signs of a crime in the course of carrying out these activities, it has the right to initiate criminal proceedings independently without waiting for information from another source, provided there are sufficient grounds under Article 322 of the CPC. Since the primary source of information about the crime must be registered, the results of operational search activities, which provide information about the elements of the crime, should be summarized in a separate statement

addressed to the head of the inquiry body of the employee who directly carried out operational search activities.

The results of the operative-search activity should be sufficient to conclude that there are signs of a crime in the act. Therefore, the complete basis for the initiation of a criminal case is a set of operational search data. When a body conducting operative-investigative activity initiates a criminal case, this set of data may consist of both non-disclosed and non-disclosed information that will later have the status of evidence in the case.

The current legislation does not exclude the possibility that the inquiry body may initiate a criminal case on the results of operational search activities conducted by itself and recorded only in the reports of accomplices. However, care should be taken to include information that should be used transparently in the primary materials. If a criminal case is initiated by an investigator, the basis for the decision is operative-search information, which can be formally verified.

The use of the results of operational search activities for the preparation and conduct of investigative actions includes:

- a) In making a decision on the implementation of these actions;
- b) They can be taken into account in direct transfer.

The results of operational search activities can also be used to conduct operational search activities as a basis for determining the tactics of conducting a specific operational search operation. For example, the results of one search operation can be the basis for another.