BG Pulse Journal USA
ISSN:1947-2536 http://www.bgpulseusa.com/index.php/bg
BG PULSE JOURNAL

TYPES OF COURT JUDGMENTS AND THE LEGAL GROUNDS FOR THEIR RENDITION

Abdurashid Abdulkhayevich Pirnazarov
Director of the M.S. Vosiqova Academic Lyceum under
Tashkent State University of Law (TSUL),
Doctor of Philosophy (PhD) in Law

Abstract: This article analyzes the types of court judgments under the Criminal Procedure Code of the Republic of Uzbekistan, with particular emphasis on conviction judgments and acquittal judgments, as well as the legal grounds for their rendition. It examines the evidentiary requirements for rendering a conviction judgment, including the reliability of evidence, its examination during the court hearing, and the prohibition against basing a judgment on presumptions. The article also discusses conviction judgments involving exemption from punishment, judgments rendered without imposing a sentence, and the legal grounds for acquittal. Furthermore, it explores the rehabilitative consequences of acquittal judgments, their impact on civil claims, and the significance of normative legal acts in judicial practice from both theoretical and practical perspectives.

Keywords: court judgment, conviction judgment, acquittal judgment, evidence, rehabilitation, Criminal Procedure Code.

A court judgment is one of the most significant procedural acts of judicial authority, serving as the final decision on the merits of a criminal case. Pursuant to Article 462 of the Criminal Procedure Code of the Republic of Uzbekistan**,** a court may render either a conviction judgment or an acquittal judgment, and such judgment must provide clear, well-reasoned, and definitive answers to all essential issues examined during the trial.

The legality and fairness of a court judgment primarily depend on the objective examination and proper evaluation of the evidence. A conviction judgment may be rendered only on the basis of reliable evidence that has been examined during the court hearing, while any judgment founded upon assumptions or speculation is contrary to the principles of criminal procedural law. Conversely, an acquittal judgment shall be rendered where it is established that the accused did not commit the offense, that no criminal event occurred, or that the alleged act lacks the constituent elements of a criminal offense.

Judicial practice also recognizes situations in which a conviction judgment may be rendered while exempting the convicted person from punishment, or where a judgment is delivered without imposing a criminal sentence. Such circumstances typically arise following the adoption of an amnesty act, the expiration of statutory limitation periods, or where the offender has ceased to present a social danger. Accordingly, a comprehensive study of the different types of court judgments and the legal grounds for their rendition is of considerable theoretical and practical importance for the correct application of criminal procedural legislation.

Pursuant to Article 462 of the Criminal Procedure Code, courts may render only two categories of judgments: conviction judgments **and** acquittal judgments. Every judgment must contain clear, definitive, and reasoned conclusions regarding all issues considered by the court, determining whether the defendant is guilty or not guilty of committing the criminal offense charged.

Even where a defendant is charged with multiple offenses or several defendants are tried in a single criminal proceeding, only one unified judgment is rendered in the case. Consequently, although the judgment constitutes a single procedural document, it may simultaneously contain different legal outcomes: some defendants may be convicted while others are acquitted, or a single defendant may be convicted under certain counts and acquitted under others.

In this regard, the opinion expressed by **S.G. Mireskiy** deserves support:

"In practical terms, a single judgment may incorporate different judicial decisions. In cases involving multiple defendants, it may constitute a conviction judgment with respect to certain defendants and an acquittal judgment with respect to others. Likewise, one defendant may be convicted under certain provisions of the Criminal Code while being acquitted under others."

Article 463 of the Criminal Procedure Code establishes the legal grounds for rendering a conviction judgment, expressly providing that **a** conviction may not be based on presumptions but must rest exclusively upon reliable evidence**.**

Only credible evidence collected for the purpose of establishing the circumstances surrounding the commission of the offense, eliminating deficiencies identified during the investigation, and resolving all existing doubts and contradictions may serve as the basis for a conviction judgment.

A defendant's confession made during the preliminary investigation or at trial constitutes sufficient grounds for conviction only if it is objectively corroborated by other evidence collected during the proceedings and examined during the court hearing**.** Accordingly, a conviction judgment may be rendered solely where the defendant's guilt has been proven during the judicial examination of the case.

Paragraph 5 of the Resolution No. 7 of the Plenum of the Supreme Court of the Republic of Uzbekistan "On Court Judgments" dated 23 May 2014 emphasizes that:

"Pursuant to Article 22 of the Criminal Procedure Code, courts shall establish the truth in criminal proceedings exclusively on the basis of information collected, examined, and evaluated in accordance with the procedure prescribed by law. Furthermore, in accordance with Articles 26 and 455 of the Criminal Procedure Code, a judgment must be based solely on evidence examined during the court hearing and duly reflected in the official record of the hearing."

Paragraph 4 of the same Resolution further provides:

"Evidence shall be regarded as reliable only where its conformity with the truth has been established through judicial examination. Where evidence contradicts the court's conclusions regarding the defendant's guilt or innocence, the judgment must not only identify such evidence but also provide a reasoned explanation as to why it has been found unreliable and consequently rejected."

Accordingly, the court is obliged to base its conclusions exclusively on evidence that has been examined during the judicial proceedings**.**

Pursuant to Part Two of Article 463 of the Criminal Procedure Code, the court shall render a conviction judgment while exempting the convicted person from punishment in the following circumstances:

1. where an amnesty act has been adopted that exempts the defendant from serving the punishment imposed by the judgment;
2. where the period of pre-trial detention served by the defendant, calculated in accordance with Article 62 of the Criminal Code governing the crediting of pre-trial detention, is equal to or exceeds the sentence imposed by the court.

In each of the foregoing situations, the court renders a conviction judgment, formally recognizing the defendant's criminal liability while simultaneously releasing the convicted person from serving the imposed punishment. This legal mechanism preserves the finding of guilt but removes the obligation to execute the criminal sanction under the conditions expressly provided by law.

The court shall render a conviction judgment without imposing a sentence and without determining the issue of punishment in the following circumstances:

1. where an amnesty act has been adopted that precludes the imposition of punishment for the offense committed by the convicted person;
2. where the statutory limitation period for bringing the person as an accused has expired;
3. where, by the time the judgment is rendered, the act has lost its social dangerousness or the offender is no longer considered socially dangerous;
4. where the rehabilitation of the convicted person may be achieved through public influence measures applied by public associations or labor collectives, or through administrative sanctions;
5. where the defendant has died before the judgment is rendered (Part Three of Article 463 of the Criminal Procedure Code).

For example, the operative part of a judgment may state:

"Criminal Case No. 1-648/2005 against A.R. under Article 139(3)(g), Article 237(2)(a) and (b), and Article 238(1) of the Criminal Code of the Republic of Uzbekistan, as well as against Z.N. and M.U. under Article 139(3)(g) and Article 238(1) of the Criminal Code, shall be terminated without determining the issue of their guilt pursuant to Paragraph 5 of the Resolution of the Senate

of the Oliy Majlis of the Republic of Uzbekistan dated 2 December 2005."
(Extract from the archival records of the Mirabad District Criminal Court of Tashkent City, 2021).

In conviction judgments involving the imposition of punishment, the judgment shall specify the type and extent of the criminal penalty to be served by the convicted person in accordance with the Criminal Code.

Where, after a person has been formally charged, the limitation period for criminal prosecution has expired, an amnesty act has been adopted, or the accused or defendant has died, criminal proceedings may nevertheless continue under the ordinary procedure if so requested by the accused, the defendant, or the close relatives of the deceased accused or defendant. In such circumstances, where sufficient legal grounds exist for conviction, the court shall render a conviction judgment without imposing a sentence, as provided by Article 84 of the Criminal Procedure Code**.**

Ordinarily, where these grounds exist, criminal proceedings are terminated during the preliminary stages of the criminal process or by a court ruling terminating the proceedings. However, if such circumstances are established only during the trial, or where the accused has objected during earlier stages to the termination of the proceedings on these grounds, the court shall render a judgment exempting the defendant from punishment.

A criminal case may also be terminated with the consent of the person concerned and without determining the issue of guilt in the following circumstances:

1. where, by the time of the investigation or trial, the act has lost its socially dangerous nature, or changes in circumstances indicate that the person no longer poses a social danger;
2. where a person who has committed, for the first time, a criminal offense of minor or lesser gravity has fully compensated for the damage caused, sincerely repented of the offense, and actively assisted in uncovering the crime;
3. where, taking into account the nature of the offense and the personality of a first-time offender who has committed a minor offense, it is considered appropriate to refer the materials to the Commission on Juvenile Affairs for consideration.

Pursuant to Article 464 of the Criminal Procedure Code, an acquittal judgment shall be rendered where:

- no criminal event has occurred;
- the defendant's conduct does not constitute the elements of a criminal offense; or
- the defendant is not implicated in the commission of the offense.

Where it is established that the offense was committed by another person, or where, after a comprehensive examination of all the circumstances of the case, the charges against the defendant are not supported by reliable evidence, the court shall acquit the defendant on the ground of non-involvement in the commission of the crime**.**

If an acquittal is rendered on this basis and the actual perpetrator remains unidentified, the court shall, after the judgment has entered into legal force, forward the case to the prosecutor for the purpose of identifying the offender and instituting criminal proceedings against that person.

An acquittal rendered on any of the foregoing grounds constitutes the full rehabilitation of the defendant, confirming that he or she bears no criminal responsibility in connection with the criminal case. Nevertheless, important legal distinctions exist among these grounds.

As provided in Part Two of Article 283 of the Criminal Procedure Code**,** where:

- no criminal event or socially dangerous act occurred;
- the defendant is found not to have been involved in the commission of the offense or socially dangerous act; or
- the defendant's conduct causing property damage was committed within the lawful limits of necessary self-defense, the court, when rendering an acquittal judgment, shall dismiss the civil claim.

Conversely, where the defendant is acquitted because the act committed does not constitute a criminal offense, the court shall determine the civil claim according to the extent to which it has been substantiated, granting it in whole or in part, or dismissing it where appropriate.

Accordingly, whenever an acquittal judgment is rendered, the court must expressly indicate which of the three statutory grounds set forth in Article 464 of the Criminal Procedure Code serves as the legal basis for the acquittal.

It follows that, in rendering either a conviction judgment or an acquittal judgment, the court must carefully consider numerous substantive and procedural circumstances to ensure the legality and fairness of its decision.

Conclusion In conclusion, a court judgment is the most significant procedural act that brings criminal proceedings to a close and must fully comply with the fundamental principles of legality, substantiation, and fairness. Pursuant to the Criminal Procedure Code of the Republic of Uzbekistan, courts may render only two types of judgments: conviction judgments and acquittal judgments. The rendition of either type of judgment is inseparably linked to clearly established legal grounds and strict procedural requirements.

A conviction judgment may be rendered only where the defendant's guilt has been established beyond doubt by reliable, duly examined, and properly evaluated evidence presented during the trial. The court must not rely upon presumptions or speculation and is required to eliminate every reasonable doubt and contradiction before finding the defendant guilty. At the same time, in circumstances such as the adoption of an amnesty act, the expiration of limitation periods, or the loss of the offender's social dangerousness, the court may render a conviction judgment while exempting the convicted person from punishment or without imposing a sentence.

An acquittal judgment, on the other hand, shall be rendered where no criminal event has occurred, the defendant's conduct does not constitute a criminal offense, or the defendant is proven

not to have participated in the commission of the crime. Such a judgment results in the full rehabilitation of the acquitted person, restoring his or her dignity, reputation, and violated rights. Moreover, the legal grounds for acquittal directly influence the resolution of civil claims, making their proper determination particularly significant in judicial practice.

Overall, a comprehensive understanding of the different types of court judgments and the legal grounds governing their rendition is of considerable theoretical and practical importance for ensuring the uniform application of criminal procedural law, safeguarding human rights and fundamental freedoms, and guaranteeing the effective administration of fair and impartial justice.

References

1. O‘zbekiston Respublikasi Jinoyat-protsessual kodeksi. – Toshkent: O‘zbekiston Respublikasi Adliya vazirligi nashri, 2024.
2. O‘zbekiston Respublikasi Oliy sudi Plenumining 2014-yil 23 maydagi “Sud hukmi to‘g‘risida”gi №07-sonli qarori. –T.: 2014.
3. Мирецкий С.Г. Приговор суда. –М.: Юрид. лиц., 1989. –Б. 25-27.
4. Jinoyat huquqi va jinoyat-protsessual huquq bo‘yicha normativ-huquqiy hujjatlar to‘plami. – Toshkent: Adolat, 2023.
5. Jinoyat protsessi. Maxsus qism. / Z.F. Inog‘omjonovaning umumiy tahriri ostida. –T.: TDYU, 2003. –B.128.