



## Criminal Liability For Premeditated Murder With Extreme Cruelty

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### ABSTRACT

This article analyzes the theoretical aspect of criminal liability for intentional homicide, one of the types of aggravated homicide, with extreme cruelty.

### KEYWORDS

Crime, extreme cruelty, premeditated murder, method of committing a crime, close relative.

### INTRODUCTION

One of the great blessings bestowed on man is his life, and the care and protection of his inviolability is the focus of all legal institutions of the state, judicial and investigative bodies. In addition, the function of criminal law is to protect the individual, his rights and freedoms.

Among the crimes against the person in the Criminal Code of the Republic of Uzbekistan, the crime of premeditated murder has a special significance.

The second part of Article 97 of the Criminal Code establishes liability for intentional homicide in aggravating circumstances.

Homicide with extreme cruelty is understood as the killing of a victim by means of extreme torture or the killing of a person in other circumstances that indicate that the perpetrator was subjected to extreme cruelty.

According to the Plenum of the Supreme Court of the Republic of Uzbekistan, the most brutal methods of murder, including torture or severe torture of the victim before death or during the murder (use of strong painkillers, burning alive, prolonged eating) , no water) can also be added. Killing a person by inflicting multiple bodily injuries can only be assessed as a manifestation of extreme cruelty if the perpetrator has done so with the right intention to inflict severe suffering on the victim.

It should be noted that the fact that multiple bodily injuries were inflicted does not in itself constitute grounds for classifying the act as extreme cruelty.

Murder in the eyes of the victim's relatives should be viewed as an indication of extreme cruelty on the part of the perpetrator if the perpetrator realizes that he or she is inflicting severe suffering on them by his or her actions.

Close relatives of the victim, in addition to his close relatives, may include persons who have a special personal friendship with the victim. It is important to note once again that inflicting multiple bodily injuries on a victim is not a basis for finding that the murder was committed with extreme cruelty, as the existence of this sign indicates that the murder was committed with extreme intent and the victim was

intentionally separated before death. it is necessary to determine whether he was tortured or severely tortured.

Extremely brutal forms of homicide are considered to have ended with the death of the victim. Therefore, any subsequent actions of the perpetrator, such as desecration of the corpse, dismemberment, dismemberment in order to conceal the murder, are not part of the type of murder under consideration and are not considered evidence of brutal murder.

The crime was committed by the Criminal Code in such cases it should be qualified in accordance with Article 97 and Article 134 of the Criminal Code, as the destruction or dismemberment of a corpse for the purpose of concealment of murder cannot be regarded as a circumstance indicating that the murder was committed with extreme cruelty.

The saliva of the murder in question is in most cases committed with direct intent, and in rare cases with crooked intent. To find that the crime of murder was committed with extreme cruelty, it is important to determine whether the perpetrator has intentional homicide with extreme cruelty.

In the absence of prior agreement between the participants in the crime of premeditated murder, the actions of the perpetrator are punishable under Article 97 (2) (j) of the Criminal Code, and the actions of other participants are punishable under Article 97 of the Criminal Code. With the exception of paragraph "j" of Part 2, shall be qualified under the relevant part of this Article.

Extreme cruelty is a sign of a person's cruelty, immorality. Paragraph 2 (j) of Article 97 of the Criminal Code deals not with ordinary cruelty,

but with extreme cruelty. Murder is always brutal. In what ways is extreme cruelty manifested? It manifests itself primarily in the manner in which the crime is committed. Homicide with extreme cruelty is understood as the killing of a victim by extreme torture or the killing of a victim in other circumstances indicating that he or she has been subjected to extreme cruelty.

As stated in the decision of the Plenum of the Supreme Court of the Republic of Uzbekistan, in qualifying the crime of premeditated murder under paragraph "j" of the second part of Article 97 of the CC, it is necessary to determine whether the intention of the perpetrator was intentional. At this point, it should be borne in mind that the law connects the notion of extreme cruelty not only with the method of murder, but also with other circumstances which indicate that the perpetrator has committed extreme cruelty.

Extremely brutal methods of killing may include torture or severe torture of a victim before death or during a homicide (use of severe pain poisoning, burning alive, prolonged food, water deprivation). Killing a person by inflicting multiple bodily injuries can only be assessed as a manifestation of extreme cruelty if the perpetrator has done so with the right intention to inflict severe suffering on the victim. Murder in the eyes of the victim's relatives should be regarded as an indication of extreme cruelty on the part of the perpetrator if the perpetrator realizes that he or she is inflicting severe suffering on them by his or her actions.

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