



Research Article

INVESTIGATORY VERSIONS AND PLANNING FOR INVESTIGATION OF CRIMES RELATED TO ROBBERY AND PILLAGE COMMITTED IN A HOUSING

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ABSTRACT

The article discusses the versions of the investigation and planning of the investigation for crimes related to robberies and robberies committed in the home, investigative situations, pre-trial investigative and operational-search activities, the interaction of investigative and operational-search bodies, analysis of preliminary data. , investigative version, the following features of the initial and subsequent investigation of the issues of the investigative version and the planning of the investigation, verification and evaluation of versions are described in stages.

KEYWORDS

Ersion, planning, induction, analysis, synthesis, analogy, statistical, induction, deduction, modeling.

INTRODUCTION

Conducting an investigative version and planning an investigation in relation to the crimes of home invasion and robbery in many cases depends on the investigative situation, the results of the preliminary investigation and operational-search activities.

The version is the most important in planning an investigation. A process aimed at solving problem

situations: firstly, checking the initial data by logical methods (analysis, synthesis, analogy, statistics, induction, deduction, modeling, etc.); secondly, psychological reshaping (the intended form, the image of the situations under consideration), is a subjective opinion about the situation. Creation and verification of the version of the investigation are shown as an effective creative process in solving the crime and

organizing the investigation. As a method of versioning, logic makes it possible to simultaneously explain an established fact and make a reasoned decision about a situation that has not yet been established.

The question of the concept, structure and features of the investigative version is one of the debatable issues, G.A. Abdumajidov [1,] in his work specifically addressed this topic in forensic literature.

A version is a kind of hypothesis that explains the nature or existence of facts, as well as the causes of the phenomenon under study, which in logic is understood as an assumption.

In order to clarify the essence of the incident and all its circumstances, the investigator conducts and checks investigative leads. In other words, they can be both general (an approximate explanation of a phenomenon with common criminal features) and private (an approximate explanation of individual aspects, elements of this phenomenon).

Investigative versions are always related to the circumstances of a particular criminal case and, as a rule, are based on factual data, that is, evidence obtained in a procedural way, and are verified only through investigative actions, as a result of which new evidence is formed.

Versions determine the direction of the investigation, so their development is an important and responsible part of planning.

Imagining all the possible exceptional variants of the fact (related to the subject of the criminal case), the investigator establishes the true picture of the incident. Based on the available information, he makes assumptions about the nature and path of the investigation, he himself determines the ways and

methods of establishing the facts. Whether such facts are disclosed will be the subject of further direction of the investigation. In the process of developing and investigating versions of burglaries and robberies, they are more and more detailed. A detailed consideration of the versions, as a result, involving a person as an accused, allows you to form a decision and draw a final conclusion on the case.

The work of the version explorer consists of three elements:

1. Obtaining preliminary information and forming a factual base.

As a result of investigative actions and operational-search activities, the actual base of crimes of home invasion and robbery is formed. That is, it is formed by collecting, detailing and systematizing the facts by the investigator. In some cases, the amount of information about the penetration into the home and robberies is insufficient, in this case the investigator should turn to additional sources of information, that is, turn to the theoretical base of versions. The theoretical basis of the versions is the totality of information available outside the criminal case under investigation and its procedural framework.

2. Its logical processing and the formation of a theoretical base.

The theoretical base is a set of information approximately related to unknown situations in the case, which is the result of a figurative generalization of the crime under investigation with similar criminal cases. Information summarized by the investigator, taking into account the composition of the factual base (criminological description of the crime, factual assumptions, personal experience of the investigator, the ability to learn the truth in a direct and complex

way without the help of experience, knowledge of various disciplines, etc.).

3. Drawing up final conclusions and forming versions.

The version is the third element of the process - in the process of summarizing the factual base with the original theoretical database, as a result of their interaction, probabilistic knowledge is formed and assimilated.

L. Ya. As Drapkin said, the effectiveness of the versioning process and its heuristic capabilities depend on the specifics of the actual base [2].

The conducted research and the above points showed that the investigator, when drawing up reports on the crimes of home invasion and robbery, should take into account the following; actual and theoretical foundations of versioning; features of maintaining a private version of the robbery and the persons who committed the robbery.

When investigating crimes related to breaking into a home and robbery, the task of the investigator is not only to correctly determine the versions in this situation, but also to develop the correct tactics for their verification, which means that after the versions and questions are subject to clarification, the investigator confirms or rejects this or that version, determines what investigative actions and in what sequence they will be carried out to search for evidence.

If little time has passed before the report of the internal affairs bodies about the invasion of the home and robbery, an important task of the investigator is to organize an operation "to search for the criminal before the traces of the crime cool down." In accordance with this, the IIB should involve local authorities. From the above situation it can be seen

that "the search for a criminal before the trace of the crime has cooled down" is determined by the receipt of information about the crime before the initiation of a criminal case.

If the victim's statement about the invasion of the home and robbery was received after a certain period of time, the investigator, after receiving information about the circumstances of the crime and signs of the looted property, draws up a plan, and in parallel with it, "search and capture of the criminal" and "it is recommended to conduct tactical operations" search for looted property ". This includes a complex of investigative actions and operational-search activities.

Identification of persons prone to committing crimes (in this case, information from the criminal list is used - a list of the names of criminals, photo albums, etc., as well as automated information systems), the creation of identikit searches for persons, obtaining information about the criminal through persons involved in the sale of the loot property, requires the control of legal and illegal places of storage.

In many cases, the perpetrator goes into hiding after committing the crime. Such situations are focused on identifying and capturing the suspect, preparing an investigation plan, and collecting the necessary evidence. The most important thing in working on such a plan is to maintain and check leads about persons who may commit home invasions and robberies.

We emphasize that at the initial stage of the investigation, when the offender is not found, the versions are associated with the victim and the method of committing the crime.

Based on the foregoing, it is possible to recommend a method for checking versions of the "burning" to

investigators and operatives. This requires the following:

A) comparison of the facts presented by the applicant with the information obtained as a result of the inspection of the scene and other investigative actions;

b) by questioning family members, relatives, neighbors, close friends, in order to establish whether the victim, according to his statement, really had the loot;

V) to establish, with the help of a forensic medical examination, the nature and nature of the injuries on the body of the victim, the possibility of their infliction in the conditions and in the manner indicated by the victim; comparison of information about injuries on the body of the victim with data on injuries caused to his body;

g) determine the situation in the applicant's family, whether members of his family abuse alcohol, drugs, are prone to gambling;

D) establishing contacts of the applicant and checking the applicant's version that relatives or acquaintances of the applicant received stolen items from him;

e) establish the reliability of his instructions regarding the situations and circumstances of the intrusion (robbery) at the scene by conducting an investigative experiment or investigation;

J) to establish whether the applicant was in another place at the time of the invasion (robbery) indicated by him.

The version of "arson" in connection with the crimes of robbery or invasion is based on a detailed analysis of all the circumstances of the case.

The next aspect of the problem is related to the creation of versions about the number of persons who committed a robbery or invasion.

Timely reporting of robberies or raids by an organized group allows you to search for criminals.

In addition to the version about the production, it is necessary to work on other versions in parallel, that is, it is necessary to check the circle of acquaintances, close friends, relatives, colleagues, partners.

Working out the version of the involvement of the listed persons in the crime is carried out by a detailed interrogation of the victim and members of his family, that is, those who knew or could have known that the victim had a large amount of money, that the victim had these things for storage, about the seizure of goods, or vice versa about the sale, about the method of movement with the values of the victim, about the places of storage of money, jewelry, about the storage of antiques in the house, about the method of protecting property, and so on.

Later, the identified person will be questioned about where he was at the time of the crime, to whom he told about the victim and his property, and his criminal connections will also be checked.

Based on the behavior of the offender at the time of the crime, his treatment of the victim, the traces left at the scene, it is possible to put forward a version of who committed the crime:

- 1) a relative of the victim or a member of his family;
- 2) friends, acquaintances or neighbors of the victim;
- 3) a person who is in a conflict relationship with the victim;



4) by a person previously convicted for similar crimes (registered).

Tergovning dastlabki bosqichida ham, uning keyingi bosqichlarida ham tergovchi voqea joyini kechiktirmasdan, voqea joyida topilgan izlarni tekshirmasdan, versiyalarni yaratish uchun jinoyatchi haqida asosiy ma'lumotlarni to'playdi. hodisalar, guvohlar va jabrlanuvchilarni so'roq qilish. Agar guvohlar jinoyatchilarning yuzlarini eslab qolsa, ularni tayyorlash va ko'paytirish sud-tibbiyot ekspertlariga topshirilishi kerak, bu esa barcha operativ xodimlarni, navbatchi inspektorlarni va patrul xodimlarini identifikatsiya tasvirlari bilan ta'minlashi kerak. Guvohlarning jinoyatchilarning izlari, ashyoviy dalillar haqidagi ko'rsatmalari asosan topilgan izlarni o'rganish natijalari bilan to'ldirilishi mumkin. Sud-tibbiyot bo'limlarida mavjud bo'lgan usullar jinoyatchining taxminiy bo'yi va jinsini, uning yurishining o'ziga xosligini, o'lchamini, turini, tashqi ko'rinishini, poyabzal uslubini, ularning kiyishini va oyoq izlari asosida tuzilishining o'ziga xosligini aniqlash imkonini beradi. Kaftlarning izlariga qarab, iz qoldirgan odamning jinsi, kasbi, bo'yi, yoshi, kaft va barmoqlarning xususiyatlarini aniqlash mumkin. Bosqin yoki talonchilik paytida o'g'irlik izlarining mavjudligi jinoyatchining tuzilishi, kasbiy mahorati va jismoniy ma'lumotlarining o'sishini aniqlash imkonini beradi. Agar transport vositasi ishlatilgan bo'lsa, sud-tibbiyot ekspertizasi uning turini, markasini, modelini, unga etkazilgan zararni va yo'ldan harakatlanish yo'nalishini aniqlashi mumkin.

Based on the foregoing, to the extent possible, at the initial stage of the investigation or during the collection of information at a later stage of the investigation, all information that can help in identifying and searching for an unknown criminal will be determined.

They can be divided into the following subgroups:

1. Information about the anatomical and functional features of the person who committed the crime: a) information about his appearance; b) information about the features of the hands, feet, teeth, blood, body secretions; c) pathological (abnormal) symptoms; g) bodily injury, small particles; d) information about walking and talking.

2. Information about social and behavioral characteristics; a) established (marked) information; b) information about the method of committing the crime; c) information about the habits, skills, level of culture of the person who committed the crime; g) other information of a subjective psychological nature.

3. Information about the items of escort: a) information about the signs of clothing, footwear and other items that the offender has; b) information about the instrument of crime and signs of other weapons; c) information about the vehicle, etc.

Given these signs of an unknown criminal, you can make a number of versions about who he might be, in what circles he might be. With this in mind, the plan may indicate options that involve the possibility of robbery or invasion of the following persons:

a) by a person previously convicted of similar crimes or other serious crimes (murder established by studying archival files of serious crimes);

b) by a person who can carry a weapon (armor, pistol, edged weapons);

c) a group of "tourists". For example, a study of practice has shown that, despite the fact that the crime was committed by an organized group of "tourists", in all cases assumptions about this are made and not checked, or checked "secondarily", sometimes with great delay. ;

g) by a person or a group of persons who have escaped from places of deprivation of liberty;

d) persons who have committed similar crimes in the adjacent area (determined depending on the specifics of the choice of the object and subject of criminal aggression, the time of the crime, other actions and signs);

e) minors who are registered with the internal affairs bodies for crimes committed with the use of intentional violence, as well as for the theft of a motor vehicle;

j) in the same way (determined by the study of archives and unsolved cases) by a person who has repeatedly committed intrusions and robberies into undiscovered houses, but has no previous convictions;

z) a person who has not worked for a long time, abusing alcohol and drugs, leading a wild life;

i) a person without a place of residence.

In addition to versions about the person who committed the robbery (invasion), there are also versions about the following:

1) on what vehicle the criminals can get to the scene of the incident;

2) assisting criminals in committing a robbery or invasion;

3) who may know about the criminal incident or about the persons who committed it;

4) what is the method of selling the stolen property.

In investigative practice, versions are necessarily formed and unraveled by the investigator. Building versions in relation to each situation to be determined

is a prerequisite for objective, comprehensive and complete evidence.

Initial operational materials serve as the basis for the development and promotion of investigative leads, and their quality determines the success of the investigation. Versions can be characterized by a high or low level of accuracy, depending on the completeness and quality of the work performed.

V. I. Batishchev states that “the composition of versions creates assumptions about the main situations of the case: about the subject of proof, about the factors of proof, about sources that can clarify these situations” [3,].

Agreeing with the above opinion, we can say that the version should reflect not only the factors listed above, but also the relevant information about the detection of these factors. Quite often, the inspection of the crime scene itself can say that the crime was committed by an organized group, but does not allow clarifying the version, but only in general terms explains the essence of what happened. An analysis of the change in the situation makes it possible to draw up separate versions about the number of criminals.

G. A. Abdumadzhidov describes the version as follows, the version of the investigation is the investigator's assumption about the nature and causes of the event under investigation, the perpetrators and the nature of their guilt, and other circumstances of the case. This means the broadest possible generalization of information and evidence, combining them with a single explanation; The version aims to fully solve the crime, expose the criminals and acquit the innocent. Finally, the investigative version is a mentally created image, model, form of the events under investigation in the investigator's imagination [4.].

According to the above opinion, the research version is the result of the unity of the three aspects of the thought process: cognitive, logical and spiritual. It is for this reason that in forensic theory there are different points of view on its essence. What these conflicting features have in common is that they all reflect the same facet of a complex, ambiguous version concept. It combines the qualities of human reasoning, mental images and models of hypotheses and interpretations.

The investigative version should have the following features:

- be realistic and based on the study of evidence;
- does not contradict scientific data;
- logically structured and without contradictions.

Based on the foregoing, it is necessary to pay great attention to the use of the information collected in the case and the logical sequence of the corresponding version when putting forward the version of the crimes of intrusion and robbery committed in the home.

The study found that in practice the investigator and investigative officers do not always use the theoretical information developed regarding the version, which indicates the need to develop guidelines for the practical application of the version.

Planning is a tool for finding evidence with a specific purpose and serves as the basis for organizing and directing an investigation. It consists in the correct and timely identification of investigation questions, the creation of versions, the development of methods and methods for their verification, and the provision of the widest possible use of scientific and technical means and purposeful tactics. Planning is aimed at determining what investigative actions are necessary to establish the truth in the case, in what sequence and

how tactically correct they should be carried out in order to ensure the exposure of the actions of each criminal, a full and objective investigation. Various service personnel are involved in the fight against crime, therefore operational-search planning is a tool of rational organization and is of great importance.

The action for each crime of home invasion and robbery requires a series of investigative actions, an operational search and other measures; each of them must be carefully prepared and carried out within the time limits established by the Criminal Procedure Law. The comprehensiveness and completeness of the investigation largely depends on the consistency of the investigation with the search. In addition, the investigator usually has more than one case at his disposal. Planning is a necessary condition for organizing the work of a researcher, built on a solid scientific basis.

When planning a home invasion and robbery investigation, the following principles should be taken into account; individuality (uniqueness); specificity; planning dynamism; practicality; act without missing an opportunity; to the frequency of planning.

The principle of continuity of planning is most clearly implemented in the investigation of apartment intrusions and robberies. The plan can be changed regularly, as new problems arise in the course of work that were not previously taken into account, but need to be addressed. When initiating a criminal case on the facts of intrusion into a dwelling and robberies committed in apartments, the investigator does not have preliminary information, at the initial stage of the investigation new and important information is received, on the basis of which the investigation plans are changed and supplemented, therefore, the deadline for execution has been changed. For example, the discovery of a crime weapon during a

search of a suspect's house destroys the plan to search another suspect, and vice versa, if one participant in the crime is searched, and the weapon of crime or the stolen things are not found, this will drastically reduce the search time for other participants in the crime.

The multi-episode investigation of intrusions and robberies committed in apartments, and the big difference in the timing of entering investigative information, as well as the principle of periodicity, due to the use of various investigative actions from a forensic point of view to resolve the investigative situation that has arisen, are also characteristic.

One of the hallmarks of case planning is its precautionary nature. This sign is usually characterized by the continuation of criminal activity by persons who committed a crime but were not caught, as well as members of an organized group. To increase the effectiveness of this "target", it is necessary to describe in as much detail as possible the characteristics of the methods of committing aggression, criminals and looted property. The studied criminal cases show that in cases of convenient implementation of such points of the preliminary announcement plan, it becomes possible to successfully catch criminals who remain at large in the process of preparing a new action.

In many cases, home invasion and burglary investigations lead to situations where the perpetrator is known but not apprehended, or the perpetrator is not known at all. In such cases, it is important for the investigator to plan his actions in a timely manner.

According to N. I. Kulagin, "investigation planning is a condition for the rational organization of the investigation and includes mental activity to determine the main directions of the investigation, as well as the sequence of procedural actions and other activities"

[5,]. Therefore, it is necessary to pay attention to the fact that when investigating a crime committed by an organized group, obtaining additional information (or conducting a preliminary investigation) may lead to a change in the original plan. In this regard, one can rely on the opinion of A. M. Larin that "planning is based on taking into account factual information that is continuously updated, refined and the value of which changes during the investigation" [6,]. Accordingly, the plan is supplemented and changed in the course of the investigation. Therefore, the planning process is continuous from the acceptance of the committed crime, the production of investigative actions and the filing of charges. In accordance with the issues of investigation and disclosure of intrusions and robberies at the initial stage and given investigative situations, the main directions of planning are: 1) obtaining an assessment of the situation of intrusions and robberies; 2) clarification of the circumstances to be investigated in the case; 3) obtaining initial information for planning the investigation of a crime and preliminary investigation; 4) search, collection and accounting of items that may be completely lost over time; 5) identification, search and detention of criminals on the tracks at the scene; 6) determination of material damage caused by the crime.

Regardless of the completeness and quality of these data, the investigator must analyze them and determine the complex and sequence of investigative actions based on standard versions.

The scientific analysis of planning the investigation of crimes of home invasion and robbery requires consideration of a separate activity in the system, taking into account its issues and levels.

Changing and clarifying the plan of investigative activities carried out at the stages of organizing the investigation of a crime is carried out by comparing the

results of the methods used, the results obtained in the course of investigative activities, through the opposite communication mechanism.

G'.A. According to Abdumajidov, "each criminal should be taken into account when planning an investigation, especially in the case of crimes committed by an organized group."

In fact, in a situation where only one suspect is detained, the features and main directions of planning an investigation depend on the position and behavior of the suspect during the initial investigation. Further, having drawn up an investigation plan, the investigator must: check the reliability of the testimony of the suspect about the circumstances of the robbery or entry into the dwelling and the persons involved; focuses on finding out all the information hidden by the suspect.

From the foregoing, we can conclude that the investigator must use not only the information received about the crime, but also, on the basis of forensic recommendations, plan and conduct an investigation, implementation and verification.

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