



Criminal legal characteristics of the stages of committing crime

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ABSTRACT

This article analyses the notion of stages of committing a crime, its criminal-legal characteristics and the retrospective development of norms that criminalise offences.

In this regard, it illustrates the development of a theory and legislation. After a careful examination it is argued that there isn't a specific definition of stages of crime. Furthermore, it problematises the need for a precise notion of the stages of crime and its distinct character from inchoate crimes. Because there is no united approach on the stages of crime, as well as, its internal division it is hard to implement a single state policy in that respect.

Although there isn't a specific definition, article argues, it is appropriate to identify a precise definition, make a distinction of stages of crime from inchoate crime. This is important to the extent of gravity of crime and the fact that some of them might be inchoate offences

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Жиноят содир этиш босқичларининг жиноят-ҳуқуқий тавсифи

Калит сўзлар:

жиноят содир этиш

босқичлари

жиноий қасд

жиноятга тайёргарлик

қўриш

жиноят содир этишга

суиқасд қилиш

тамом бўлган жиноят

жиноят содир этишдан

ихтиёрий қайтиш

АННОТАЦИЯ

Жиноят содир этиш босқичлари тушунчаси ва унинг жиноят-ҳуқуқий белгилари; жиноят содир этиш босқичлари учун жавобгарлик белгиланган жиноят қонуни нормаларининг ривожланиш тарихи таҳлил қилди.

Жиноят содир этиш босқичларининг жиноят ҳуқуқи назарияси ва жиноят қонунчилигидаги аҳамияти тадқиқ этилиб, мазкур тушунчага оид ёндашувлар ва мавжуд таърифлар ўрганилди. Мазкур тушунчанинг тор ва кенг таърифи билан боғлиқ хусусиятларидан келиб чиқиб, унинг

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хуқуқий таърифи мавжуд эмаслиги аниқланди. Ўз навбатида, ҳозирги вақтда жиноят содир этиш босқичлари тушунчаси бўйича ягона ёндашув йўқлиги ҳамда унга аниқ илмий ва ҳуқуқий таъриф берилмаганлиги, унинг жиноят-хуқуқий сиёсат доирасида ҳуқуқий мақоми комплекс, тизимли ўрганилмаганлиги, жиноят содир этиш босқичларининг турлари юзасидан ягона қараш шаклланмаганлиги, шунингдек жиноят содир этиш босқичлари ва тамом бўлмаган жиноятларнинг ўзаро фарқли жиҳатларига лозим даражада эътибор берилмаётганлиги, биринчи навбатда, жиноят содир этиш босқичларининг ягона таърифини ишлаб чиқиш зарурлиги, жиний ниятнинг ривожланганлик даражаси, ижтимоий хавfli қилмиш (ҳаракат ёки ҳаракатсизлик)нинг хусусияти ва жиноятнинг охирига етказилмаганлигига кўра турларга ажратиш лозимлиги, жиноят содир этиш босқичларининг назарий қоидаларни татбиқ этиш ва жиноят қонунчилигини амалда қўллашда жиноят ҳуқуқининг қатор институтлари билан узвий боғлиқлиги аниқланди..

Уголовно-правовая характеристика стадий совершения преступления

Ключевые слова:

стадии совершения преступления
преступный умысел
приготовление к преступлению
покушение на преступление
оконченное преступление
добровольный отказ от совершения преступления

АННОТАЦИЯ

В статье представлен анализ понятия стадий совершения преступления, выявлены признаки, определяющие его уголовно-правовую характеристику и в ретроспективном аспекте охарактеризованы закономерности развития норм, криминализирующих те или иные стадии правонарушений. Автором обнаружено, что история развития стадий преступления, в целом, достаточно подробно иллюстрирует развитие общей доктрины уголовного права и уголовного законодательства. В ходе изучения установлено отсутствие научного консенсуса относительно конкретного определения стадий преступления. Между тем, автором обнаружено, что подобное положение в науке, ставит необходимость точного определения стадий преступления и определения отличительных признаков различных стадий. В статье оценено влияние пробелов в науке и законодательных нормах и отсутствия единого подхода к стадиям совершения преступления, и сделан вывод, что данная ситуация влечет сложности в проведении единой государственной уголовной политики в этом отношении.

В статье утверждается, что с точки зрения потребностей практики целесообразно дать точное и четкое определение стадий преступления, провести различие между стадиями преступления и окончанным преступлением, поскольку

некоторые преступные деяния с учетом степени их тяжести могут относиться к оконченным преступлениям.

INTRODUCTION

Globalisation of the world actualises establishing modern and effective way of public welfare through the reforming crime prevention, including guaranteeing the rights and freedoms of individual, interests of society, public safety from criminal activities. The fact that 13 million people committed a crime in 2016, this figure increased 23 percent from the rate of 2000 in 2017 indicates the need for a policy development for preparation of committing a crime, decriminalising a certain sort of offences, liberalising sentencing practice for inchoated crimes.

It is globally important to apply properly criminal law norms in regard inchoated crimes, differentiation of sentencing for preparation of an offence and criminal attempt, individualising punishment of convicts, rewarding active and good behaviour which is aimed at deterring a crime. These, above all, should be addressed scientifically and indicated as a potential for an upcoming research agendas.

In the period of independence, the sentencing practice for inchoated crimes unified with the international standards. In some degree the sentencing practice improved, but still there is a need for further development of this sub-field of criminal law. These days, differentiation the notions of inchoated crime and criminal attempt and the collision between these patterns has becoming more and more debated topic. Recent data shows that the extent of inchoated crimes has been constant in Tashkent (approximately 5 percent) between 2013–2017: 5,1 in 2013, 4,5 percent in 2014, 4,7 percent in 2015, 4,3 percent in 2016 and 4,8 percent in 2017.

As a rule, the criminal attempt is the act whereby it would be operated under a specific circumstances and within a particular time-scope. Moreover, it would be the act that exercised in a particular order of acts. In some circumstances the criminal attempt might be incomplete due to the impact of the external forces. Again in that case, the offence should be treated accordingly depending on in which stage crime has been intervened. Thus, the notion of stage of committing a crime, its peculiarity, its modes and significance.

The purpose of the study is to determine the characteristics of the stages of the crime, the degree of development of the criminal intent of the offender, the degree of development of the criminal intent of the person.

The tasks of the research are to make a legal analysis of the stages of the crime, to classify them by the expression of their criminal characteristics, to identify the characteristics and distinctive features of each stage, to develop a retrospective analysis of the criminal history of the criminal law. development of proposals to improve the legislation.

RESULTS AND ITS DISCUSSION

Chapter 6 of the Criminal Code of the Republic of Uzbekistan is entitled "Incomplete crimes", which describes the preparation for a crime, attempted crime and voluntary return from crime, and does not use the concept of stages of crime. This is due to the fact that the legislature emphasizes the time of completion of crimes and establishes the conceptual idea and rule of whether or not there is liability for failure to commit an act. Article 25 of the Criminal Code strengthens the norm for which crimes are not completed,

and Article 26 of the Criminal Code excludes liability for crimes that are not completed. If there is criminal liability for preparation for a crime and an attempt to commit a crime, there is no criminal liability for voluntary renunciation of a crime. However, the fact that the law does not reflect this concept does not deny its legal significance.

The legal significance of the stages of the crime is evident in the following.

First of all, the stages of a crime are the concept of an organic connection with criminal intent, which is why it is expressed as a certain period of a person's criminal intent. Or, in other words, the stages of a crime are also used in the sense of the degree to which a criminal conspiracy is committed. Second, the stages of the crime are the criteria that determine the degree of social danger of the crime; thirdly, the commission of a crime is a socially dangerous act that harms (completed crime) or poses a real threat of harm (preparation for a crime, attempted crime) to objects protected by the Criminal Code; fourth, the stages of the crime are inextricably linked with the elements of the crime: if the objective aspect of the crime is important in determining the time of the birth of the crime, the subjective aspect is related to the stage of the crime; Finally, the stages are the main criminal-legal tool in crime prevention.

In scientific works and textbooks, the stages of a crime are divided into types on the basis of several criteria: the degree of realization of the criminal intent, the objective and subjective signs, the time of occurrence of the situation that prevents the completion of the crime. In addition, there are criteria that vary depending on the extent of the intentional act, the nature of the act (omission) committed, and the presence or absence of socially dangerous harm. In our opinion, the stages of crime should be divided into types on the basis of "development of criminal intent." Because the stages differ in the implementation of a person's criminal intent. For example, in preparation for a crime, the intent to commit a crime is not directly involved, in the case of an attempt to commit a crime, the intent to commit a crime is achieved. Ladders also differ in the nature of the movements they perform. In preparation for a crime, the difference is that no crime has been committed, the assassination has been committed, and the completed crime has been committed. The sum of the above cases represents the specific level of social risk of each stage.

Based on the analysis of the above considerations, it is expedient to take the level of development of criminal intent as a criterion in the classification of the stages of crime and to classify them into the following stages. 1) the stage of formation of criminal intent; 2) the stage of manifestation of criminal intent; 3) the stage of creating conditions for the implementation of criminal intent; 4) stage of committing a socially dangerous act (attempt to commit a crime); 5) the stage of voluntary return from the commission of a crime; 6) completed criminal stage. Confirmation of this opinion is reflected in our sociological research. 46% of respondents agreed with the above proposal, 33% suggested preparation for a crime, attempted crime, segregation for completed crimes, and 21% - preparation for a crime, preparation for a crime, criminality. assassination, a completed crime, voluntary renunciation of a crime. It is necessary to tell about the peculiarities of each step.

The stage of formation of criminal intent. Before any action or inaction is performed, a certain desire is formed in the mind of the person, a plan of its implementation is formed, the expected result, the possible consequences are formed. All this is a process related to the mental state of the person, his inner experiences, and a firm conclusion is formed on the basis of the realization of the will. That is, a person forms a motive, the purpose is

defined and a decision is made. Motive, purpose, decision-making is a process aimed at committing a socially dangerous act. In fact, whether a crime is committed intentionally or recklessly, there must be a will. However, this process is important in intentional crimes, the existence of which determines the socially dangerous nature of the crimes planned to be committed in the future. Therefore, it is safe to say that the initial stage of a crime is the formation of criminal intent.

Intention is "desire", "motive", "consciousness", thought directed to a certain object" and is understood as the conscious performance of this or that action, or not to perform or refrain from performing the action if one understands the nature and purpose of the action. Hence, intention is intertwined with the volitional and thinking elements of a person's psyche. Second, the concept of intention is a broad concept, the emergence of a motive in a person, the definition of a clear goal, the formation of a firm decision, as well as the perception of the socially dangerous nature of his actions. Third, the concept of intention as a legal term is used in a number of articles of the Criminal Code: criminal intent (Article 30 of the Criminal Code), low intent (Article 56 of the Criminal Code), the degree of realization of intent (Article 58 of the Criminal Code), greedy intent (Criminal Code). 97) and also with terms such as malicious intent (Article 125 of the Criminal Code). It should be noted that these concepts are used appropriately and are broader than the concept of revenge. Fourthly, at the stage of intent, the person sets a clear goal, identifies ways to achieve the goal, chooses methods of committing and concealing a crime, and thinks about ways to involve the participants in the crime. According to the universally recognized principle of criminal law, "no one should be punished for intent" ("cogitationis poenam nemo patitur"). Accordingly, the formation of intent cannot be the subject of criminal relations. Indeed, a person should not be held accountable for thinking about a crime or intending to commit a crime. Criminal liability arises when the intention is expressed through a certain social threat (action or inaction). This practical expression of this principle is clearly reflected in the principles of legality and justice of the criminal law.

The stage of formation of criminal intent is characterized by a number of features: 1) the intention to commit a crime, the process of thinking about the crime, the search for acceptable methods and means of committing the crime, all of which indicate only the intention of the individual. Even in cases where the criminal intent is evident (oral or written), it does not mean that the crime has been committed. In this case, there is no social risk to the commission of the crime as a key element of criminal prosecution; 2) there is no risk of harm to the object protected by the criminal law in the formation of the intention, in contrast to the preparation for the crime. Therefore, the stage of formation of criminal intent is the stage at which no criminal liability is incurred. However, there is no denying the criminal significance of this stage, including the degree and nature of the social danger of certain crimes, the social significance of the object of the crime, the form of criminal intent as the completion of these crimes.

The next stage in the commission of a crime is the stage of manifestation of criminal intent. The manifestation of a criminal intent ("the stage of the manifestation of the criminal will") may reveal a person's criminal intent orally or in writing to certain persons, but there are no factual grounds for fear that the criminal intent may be carried out. At the stage of manifestation of criminal intent, no socially dangerous act (action or omission) is committed, and there is no threat to social relations. A person who intends to commit a

crime shall limit himself to informing others of his criminal intent. Therefore, there is no sign of social danger at this stage.

This stage is characterized by two characteristics: on the one hand, the fact that a person's intention to commit a crime is known to others makes it possible to prevent the commission of the crime, and, on the other hand, means to create the conditions for the commission of a crime. That is why this step is especially important in the prevention of crime. Because if it is established that a person has a clear desire to commit a crime, it is expedient to take all necessary measures to prevent criminal activity, to apply educational measures to the person.

At the same time, the stage of manifestation of criminal intent must be distinguished from the completed crimes, which are expressed in words. In particular, in some articles of the Special Part of the Criminal Code, the manifestation of criminal intent is a stage - a crime that deserves a criminal punishment. As a result of these crimes, the objects protected by the criminal law are damaged in a definite form and size. These include intimidation by killing or use of force (art. 112), propaganda of war (art. 150), aggression against the constitutional order of the Republic of Uzbekistan (art. 159), slander (art. 139), and insult (140 art.). -m.). In this regard, NN Baimakova's opinion that "intent in this crime is not a stage of manifestation, but the crime itself should be punished" is appropriate. The commission of such crimes does not require action or inaction, but is expressed in words. Accordingly, there should be no criminal liability for the stage of manifestation of an intention that is not physically manifest in a socially dangerous act.

The stage of creating the conditions for the commission of a crime is characterized by its own characteristics: first, the person's intention is to create the necessary conditions for the commission of the crime; only certain conditions can be created for a certain crime. Creation of conditions means the direct initiation of the commission of a crime, and is expressed in the act or omission of a socially dangerous act. However, it is characterized by a low level of social risk due to the fact that it has not been completed due to circumstances beyond the control of the perpetrator. The real danger of harming social relations, which is protected by criminal law, is limited. "Creating the conditions for a crime means that the intentional act of the accused must later (within a short period of time) enable him to commit an assassination attempt or the objective aspect of the completed crime."

In the criminal law of our country, criminal liability begins at the stage of creating the conditions for crime. This is because at this stage there is a socially dangerous, illegal, conscious and voluntary action or inaction. The crime committed at this stage is part of the preparation for the crime.

The features of the stage of execution of the objective aspect of the crime are: the beginning of the direct implementation of the criminal intent; damage to social relations or a real risk of harm; The action or omission envisaged in the disposition of the Special Part of the Criminal Code has not been fully resolved in cases not related to the person; or the fact that the action or omission provided for in the disposition of the Special Part of the Criminal Code has been fully or partially committed, but the desired criminal consequence has not occurred in full or in part; is characterized by the fact that the crime or criminal consequence did not occur due to circumstances beyond the control of the individual. A socially dangerous crime committed at this stage constitutes an attempt to commit a crime.

The nature of the stage of voluntary return from the commission of a crime is the denial of the socially dangerous act committed by the person, regardless of the presence of elements of the crime. Voluntary renunciation of a crime is defined as the complete, firm, decisive renunciation of a person's voluntary renunciation of the commission of a socially dangerous crime or the continuation of the commission of a socially dangerous crime. The stage of voluntary withdrawal from the commission of a crime is directly related to the stages of the crime analyzed above, and a person may voluntarily return from the stage of commission of a crime or the objective aspect of the crime. The main thing is that the voluntary return was carried out before the criminal consequences, that is, the person should not have allowed the criminal consequences. Voluntary withdrawal from the stages of formation of criminal intent and manifestation of criminal intent has no criminal significance. Voluntary return is characterized by the fact that the issue of guilt has not been fully resolved. In addition to the fact that some stages of crime are particularly important in crime prevention, the stage of voluntary recidivism is characterized by the stage of stimulating the positive behavior of the individual. Therefore, criminal liability for voluntary renunciation is excluded.

At the stage of occurrence of a criminal consequence, as a result of an act or omission committed by a person, the desired criminal consequence occurs (in a material crime) or all the desired action or omission of a person is fully realized (in a formal crime). This gives the corpus delicti of the crime committed at that stage. According to Section 8 of the Criminal Code, a completed crime is a socially dangerous crime that includes all the necessary elements of a specific crime.

In determining the time of completion of crimes, they should be approached as follows, based on the conceptual rule provided for in Article 13 of the Criminal Code. If in the disposition of the Special Part of the Criminal Code it is considered that the crime is completed by committing an act or omission, the crime is considered to have been committed from the moment of committing a socially dangerous act. If in the disposition of the Special Part of the Criminal Code the crime is considered to have ended with the occurrence of a criminal consequence, the crime shall be deemed to have been committed from the moment of the occurrence of the criminal consequence. In determining the time of completion of the crime, it is necessary to express the disposition of the Special Part of the Criminal Code and the criminal intent of the person.

Although the stages of the crime depend on the objective aspect of the crime, it is necessary to take into account how the subjective aspect is manifested.

Retrospective analysis of the stages of crime

Due to the fact that the concept of stages of crime, their types and the issue of desirability of punishment have not been studied in the history of the Republic of Uzbekistan, there are almost no sources that provide information on these relations. Only in some historical sources can we find some information about the methods of criminal punishment for these crimes.

The Avesta is the first source of responsibility for crimes in our country. In the Avesta, crimes are divided into completed and incomplete crimes according to the nature of the crime committed. According to Zoroastrian law, preparation for a crime was a criminal offense. "Preparation for a crime is the search for, manufacture and adaptation of the means and weapons for the commission of a crime, or the creation of conditions conducive to the commission of an intentional crime, provided that the crime is not at the

discretion of the individual." "Anyone who stands up to inflict bodily harm on someone is considered a criminal," he said. "Ogerepta is a criminal who has a military weapon in his hand, but an impenetrable object or a means of protection, in order to injure someone's health, but for unknown reasons has not committed a crime." This means that he will not be able to continue his criminal activity if it does not depend on the will of the offender.

The rules of the Avesta are aimed at the gradual prevention of crime and delinquency. Therefore, from the very beginning of the preparation and assassination of the crime, attention is paid to the prevention of crime. Apparently, in the Avesta, a person's actions are judged on the basis of his actions. Preparing for a crime and attempting to commit a crime differ in how close they are to the crime and the potential for harm. Significantly, the Avesta differentiated between criminal preparation and criminal conspiracy for conspiracy to commit a crime.

In the course of the research, we did not find norms on the stages of crime and their types in the "Temur's Laws" and "Yaso's Laws".

Due to the fact that the Shari'a does not regulate criminal relations in a clear normative document, it can be concluded that there is no clear norm, which defines the concept, types and definitions of the stages of a crime. In Islamic law, sanctions are classified on the basis of the socially dangerous nature of the perpetrators. For example, if a clearly defined sentence was imposed for a completed crime, the attempted murder was more lenient. The following ideas can be cited as examples.

"If property is seized and a person is injured or killed as a result of a crime, the organized crime is punishable by a crime of aggression," he said. "If the group was arrested before the property was seized and the person was killed, the perpetrator will be forced to swear an oath of allegiance, even if there is a possibility of bodily injury." This means that there will be less punishment for the attempted murder than for the completed crime.

The following conclusions can be drawn from the analysis of the norms establishing criminal liability for the stages of crime in Uzbekistan from the VIII to the XIX centuries:

1) Despite the fact that the rules of Sharia do not regulate the crime, its types and the basis of responsibility, the responsibility for the stages of the crime is established in the Qur'an and other sources.

2) in Islamic law, the formation of an intention is expressed as an intention, the unity of action and intention is considered to be proportional, and the stage of the formation of an intention is characterized by its own characteristics;

(3) Although not defined as a complete crime, socially dangerous consequences are required as the basis for criminal liability for most crimes. For material crimes, a lighter penalty is imposed if the consequences do not occur in cases where the consequences are necessary;

4) persons who attempted to commit a crime were subjected to harassment or punishment.

According to the First Criminal Code of the USSR (1926), the stages of a crime are divided into three stages: preparation for a crime, assassination, and completed crime. We do not find a section or chapter in the Code entitled Stages of Crime. The types of criminal offenses and the issue of liability for them are set out in Section 2, General Decisions of the General Part of the Code. "Preparation for a crime is a tool of crime, the search for or adaptation of a means, and the creation of conditions for the commission of a crime." The Code only defines the concept of preparation for a crime and does not define the concept

of assassination. There was no need to differentiate between them because of the preparation for the crime and the persecution of the attempted crime as a completed crime. At the same time, the cases that need to be taken into account in sentencing by the court are more widely covered.

It is characterized by the fact that the 1959 Criminal Code of the Uzbek SSR did not use the concept of criminal stages, and criminal liability was established for preparation for a crime and attempted crime. Although some sources indicate that the courts have the right to impose a lighter sentence for preparation and assassination, there is no provision for a reduction in the sentence. This means that there is no differentiation between criminal preparation and assassination responsibility and punishment.

The adoption of the Criminal Code of the Republic of Uzbekistan in 1994 (1994) marked a new stage in the development of the criminal law, which establishes responsibility for the stages of crime. The legislature, after analyzing law enforcement practices, has seriously revised its criminal law provisions. Thus, a new chapter entitled "Incomplete Crimes" was added to the Code. It is noteworthy that for the first time in criminal law the concept of "incomplete crimes" was used. Article 25 of the Criminal Code is called preparation for a crime and attempt to commit a crime, and Article 26 of the Criminal Code is entitled "voluntary return from the commission of a crime", which includes the concept of voluntary return from a crime, its signs and legal consequences.

The PC of the Republic of Uzbekistan is noteworthy and, unlike other PCs, for the first time gave a legal definition of the concept of incomplete and completed crime. Although these concepts are not reflected in the General Part of the Criminal Code, they are expressed in the eighth section of the Special Part of the Criminal Code, entitled "The legal meaning of terms." Article 58 of the Criminal Code, entitled "Sentencing for incomplete and participatory crimes", strengthens the separate rules for sentencing for preparation for a crime and attempt to commit a crime. "In sentencing a juvenile offender, the court shall take into account the gravity of the offense, the degree of intent to commit the offense and the reasons for failing to complete the offense, provided that the general principles of sentencing are followed." The study concluded that the stages of the crime were different from similar crimes and that similar crimes had been committed.

A person's criminal conspiracy may be carried out on a sequential basis. The purpose of the perpetrator is to have a criminal consequence. The implementation of each step indicates that the individual and the act have become socially dangerous. If a person's criminal intent is not fully realized and he has committed a social threat or has no consequences, the committed socially dangerous act is considered as an incomplete crime. A socially dangerous crime is considered to be a completed crime if it has any criminal consequences and if there are all the signs specified in the disposition of the Special Part of the Criminal Code. If the socially dangerous crime has been completed at the stage of creation of conditions - preparation for the crime; if the objective aspect of the crime is completed at the stage of execution, it is an attempt to commit a crime, and if it is completed at the stage of occurrence of a criminal consequence, it is a completed crime. The stages of crime should be understood only in one sense - as a period of intentional crime. This is because a person's criminal activity is aimed at committing a completed crime.

Based on the above, it can be concluded that the stages of crime and incomplete crimes are interrelated criminal law categories. These steps do not have to be consecutive. This is because some crimes may not have a stage of preparation for a crime, but there may

be a stage of an assassination attempt. Crimes committed with intent and negligence cannot be prepared or assassinated due to the lack of criminal elements. Stages of crime are the period of realization of a person's criminal intent.

Incomplete crimes are crimes committed at a certain stage of the commission of a crime, depending on the circumstances that are not related to the person at the time of the implementation of the criminal intent of the person. Stages of crime are the process of committing a crime. An incomplete crime is a socially dangerous, unlawful, guilty, and punishable crime that has been suspended in the course of the crime due to circumstances beyond the control of the individual. It is of legal importance to determine at what stage the commission of a crime is terminated when the criminal activity of the person is not completed in cases not related to him.

CONCLUSION

Based on the results of the above analysis, the following conclusions can be drawn.

1. In the development of the criminal legislation of the Republic of Uzbekistan, the stages of the commission of a crime, in particular, the preparation for a crime, an attempt to commit a crime and the responsibility for the completed crime, the emergence and development of the norms of the criminal law: , the period of Sharia law (from the VIII century to the 50s of the XIX century), the period of Tsarist Russia's colonization (50s of the XIX century and the 20s of the XX century), the former Soviet Union (from 1922 to 1994) and the period of independence (1994) from September to the present).

2. The following author's definition should be given to the stages of the crime by analyzing the existing legislation and the views of scholars. "The stages of a crime are the degree to which the intentionally committed person has developed criminal intent, the nature of the socially dangerous act (action or omission) and the period of the crime, which differs according to whether the crime has not been completed."

3. Stages of commission of a crime Depending on the nature of the commission of a socially dangerous act and the degree of development of criminal intent: 1) the stage of formation of criminal intent; 2) the stage of manifestation of criminal intent; 3) the stage of creating conditions for the implementation of a criminal intention (preparation for a crime); 4) stage of committing a socially dangerous act (attempt to commit a crime); 5) the stage of voluntary return (voluntary return from the commission of a crime); 6) it is expedient to classify it as a completed criminal stage (occurrence of a socially dangerous consequence or commission of a socially dangerous act).

The legal consequence of such a classification of criminal offenses is the prevention of criminal offenses and the prevention of criminal offenses in order to strengthen the preventive aspects of criminal law in order to make a person known and prosecuted.

4. If there are certain contradictions between the incomplete crime and the stages of the crime, they are considered to be interrelated criminal categories, and the stages of the crime are considered to be the completion of the criminal intent of the person at a certain stage of the crime. It was substantiated that he had committed a socially dangerous crime at a certain stage of the crime, according to circumstances beyond his control.

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