**LEGAL CHARACTERISTICS OF THE EXPERTISE IN THE PRE-TRIAL INVESTIGATION**

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**Abstract:** As we all know, in the Strategy of Actions on the Five Areas of the Development of the Republic of Uzbekistan in 2017-2021, ensuring the rule of law and further reforming the judicial system is defined as one of the priority areas of combating crime and violations. The tasks of improving the prevention system are aimed at increasing the efficiency of the activities of not only internal affairs bodies, but also other law enforcement bodies.

**Key words:** expertise, pre-trial inquiry, the importance of expertise, investigative actions.

Developments occured by the Strategy of Actions evolve defending the rights and legal interests of individuals, states, and societies against illegal aggressions, maintaining public order and security, and strengthening the criminal justice system.

Pre-trial inquiry and criminal case investigation are the most crucial aspects of judicial law. Pre-investigation investigation actions are criminal-procedural activities carried out by bodies authorized by criminal-procedural legislation in order to discover the subject who committed the crime and bring him to criminal responsibility. This comprises carrying out full, objective, and comprehensive investigative actions, as well as providing a fair punishment for the person who committed the crime's socially dangerous act and the proper application of legal documents.

Pre-trial investigation involves the prevention of crime, the collection and preservation of evidence, and the investigation of suspects suspected of committing a crime by the bodies that carry out pre-investigation investigation, all with the goal of fulfilling the tasks of combating crime outlined in the Code of Criminal Procedure. It is regarded to be a specific way of conducting the case before the court, consisting of the activity of apprehending the perpetrators and searching for the hidden suspects, performing an urgent investigation, and carrying out all additional activities to assure the material damage caused by the crime.

According to Article 3202 of the Criminal Procedural Code of the Republic of Uzbekistan, pre-investigation examination includes the examination of applications, messages and other information related to the crime, measures to make a decision on the result of their consideration, fact that it is relevant for the case as well as information is provided on the possible crime traces, including measures to strengthen and preserve objects and documents.

There are several investigative actions that cannot be delayed during the investigation, and they are as follows:

1. Inspecting the scene of the incident;

2. Holding;

3. Personal research and taking;

4. Expertise;

5. Inspection appointment.

Investigative actions that cannot be delayed mean the characteristics of the committed crime (incident), i.e. the method, place, time, identity of the person who committed it, taking into account the time that has passed before the crime is discovered, then solving this crime using a system of investigative actions that is required to be carried out quickly and in a logical sequence for the purpose of exposure.

Besides, without the help of expertise, it is impossible to imagine a process of quick and complete disclosure of socially dangerous acts, applying a fair type of punishment to subjects who have committed crimes and violations, not bringing criminal and administrative responsibility to any person who is not guilty, and to those who have not been proven guilty by the court exposing the perpetrators of criminal and administrative incidents and carrying out judicial activities.

Expertise is considered an independent investigation, and it must be carried out in compliance with the criteria of procedural legislation. The examination can be undertaken before the introduction of a criminal case, that is, during the investigation process, according to the requirements of the criminal procedural legislation.

Prior to pre-trial investigation, there must be a valid justification for the appointment of expertise during the investigation. Only then, prior to the pre-trial investigation, a decision will be given by the official authorized person to carry out the inspection activity, and the reasons for the examination must be clearly described in the decision. Based on the requirements of Article 180 of the Criminal-Possential Code, the reasons for appointing an expert in the decision; physical evidence and other objects sent for examination, when, where and in what condition they were found and taken; the information on which the expert's opinion should be based during the examination of case materials; questions put to the expert; information is provided on the requirement to indicate the name of the expertise institution or the surname of the person entrusted with the expertise. The activity of the expert starts from the moment when the decision to conduct an expert examination, as well as the object to be examined, is handed over to the expert.

According to Article 81 of the Code of Criminal Procedure of the Republic of Uzbekistan, whether a socially dangerous act has occurred or not, the guilt or innocence of the person who committed this act, and other circumstances important for the proper resolution of the case, the investigator, investigator and court any real information that is the basis for determining in the prescribed manner is considered as evidence in a criminal case, in which evidence includes testimony of the victim, the suspect, the accused, the defendant, physical evidence, audio recordings, video recordings, film and photo materials, investigation and along with the minutes of the court proceedings, an expert's opinion is also included. Evaluation of the expert's opinion, its use as acceptable evidence is within the authority of the investigator, investigator, prosecutor and the court.

The inner confidence of the person evaluating the expert's conclusion means that he/she considers the work situation comprehensively and objectively, thinks summarizing all aspects of the work situation, and is confident in the correctness and truthfulness of his/her opinion. That is, the investigator's reaction to the expert opinion should not be based on the opinion of any other participant in the criminal proceedings. At the same time, internal confidence must be justified and have its own explanation. Having critically reviewed and evaluated the evidence in the case and reached a certain conclusion, the investigator must justify what this conclusion is based on in the relevant procedural document - the indictment.

Nowadays, the importance of forensic examination is increasing more and more in solving violations, crimes, and determining the truth.

What is the importance of expertise?

First, the court indicates the need for law enforcement agencies and courts.

Second, it means that expert opinions are treated with great confidence as a reliable and acceptable source of evidence. It can be seen from this that expertise is considered as one of the main tools for the formation of offenses as offenses and crime as a crime.

From this point of view, we consider it appropriate to make suggestions regarding the activities of this sector.

It is necessary to create a single legal document, i.e. a code, related to expertise (like the Election Code). Because there is no single systematized legal document that regulates expertise activities, as well as the activity of experts. Through the codification of this field, it is possible to organize its activities by bringing the field into a single system. This proposed law, like other codes, will consist of general and special parts. In the general part, the general rules related to the expert's activity are presented. In the special part, the types of expertise mentioned in the general part are described and others.

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