



## SOME THOUGHTS AND REFLECTIONS ON THE CONCEPT, SIGNIFICANCE, AND CONTENT OF PROOF.

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**Abstract:** This article describes the essence of the concept of proof, proof in criminal proceedings, the promotion of investigative hypotheses and their dynamic development, the formation and substantiation of reliable conclusions on a criminal case through the collection, verification, and evaluation of information and evidence about the facts and circumstances of a criminal case.

**Key concepts:** proof, evidence, collection of evidence, verification of evidence, evaluation of evidence.

The only means of achieving the goals of criminal proceedings is proof, which is interpreted as evidence, the process of its use, the purpose of which is to ensure the truthfulness of the investigated phenomenon, to protect the rights and legitimate interests of persons participating in criminal proceedings, to quickly and fully solve crimes, to expose the perpetrators, and to prevent the punishment of innocent persons. In this regard, the issues of evidence and proof, according to most scholars, are and will remain the basis of criminal proceedings. Knowledge is an integral philosophical basis of the concept of proof. This circumstance is connected with theoretical discussions on the correlation of these concepts, the content and structure of proof, the range of subjects of the obligation to prove, the peculiarities of its implementation at different stages of the process, etc. The fundamental basis for achieving the goals facing the parties to criminal proceedings is proof, and it is through the process of proof that the parties fully realize their legitimate interests in criminal proceedings, while the prosecution fully fulfills the tasks of quickly and fully solving the crime and exposing the perpetrators. The theory of evidence reinforces the idea of proof as a type of knowledge of the circumstances of a crime, which is important for the investigation of a crime and the conduct of a criminal case. Proof is the activity of authorized subjects aimed at establishing the truth of the circumstances of the case using evidence. This includes the collection, verification, and evaluation of evidence by the author.

The lawful implementation of proof is a guarantee of achieving the goals recognized in Article 2 of the Criminal Procedure Code, which, in turn, requires a deeper understanding of the essence of the concept of proof and the improvement of the procedure for researching and proving its specific features, as well as its general conditions, based on the needs of judicial and investigative practice.

For a correct and complete understanding of the meaning of the concept of proof, it is advisable to know its lexical meaning. In the explanatory dictionary of the Uzbek language, it is noted that proof is understood as "confirmation of the correctness of an opinion, claim, hypothesis, etc., or the truth of a past event with evidence, document," "confirmation, proof of the correctness of a rule or claim with logical reasoning and evidence based on other known rules"[1].

According to Article 85 of the Criminal Procedure Code: "Proof consists of the collection, examination, and evaluation of evidence for the purpose of establishing the truth about circumstances relevant to the lawful, substantiated, and fair resolution of the case." This article states that proof consists of three stages: collection, examination, and evaluation of evidence. In the literature on criminal procedure, the concept of proof is interpreted differently, despite the fact that it is of decisive importance in establishing the circumstances of a crime. Numerous scientific studies of this problem in different periods further emphasize its constant relevance. First of all, we can admit that the concept of "proof" is insufficiently studied.

Scholars have expressed various opinions and considerations regarding the concept of proof.

In particular, B.A. Mirensky defines the concept of proof as a complex process embedded in all criminal procedural activity and ensuring the fulfillment of the tasks of criminal procedure through establishing the truth in the case, including the establishment of evidence among the stages of proof[2]. However, B.A. Mirensky considers the establishment of evidence not as a separate stage of proof, but as an integral part of the stage of collecting evidence. This is a dispute of opinion, with which one cannot agree. In our opinion, the identification of evidence manifests itself as an independent stage of substantive proof. According to G.Z. Tulaganova, proof is understood as the activity of subjects, based on criminal procedure law, to collect, consolidate, verify, and evaluate any information relevant to a specific criminal case in a procedural order, as well as to confirm the existence of this information on behalf of the state[3]. Similar to the opinion of G.Z. Tulaganova, V.S. Balakshin and B.A. Tetenkin also emphasize the division of proof into 4 stages: collection, recording, verification, and evaluation of evidence[4]. A.V. Avilov, in his research work, asserts that the purpose of the obligation to prove as a type of activity is to establish all circumstances and facts relevant to the correct resolution of the criminal case during the collection, examination, and evaluation of evidence[5].

The concept and stages of proof, put forward by N.V. Zogina[6], L.E. Vladimirov[7], S.A. Sheyfer[8], are similar to the interpretation in the current Criminal Procedure Code, according to which proof consists of the collection, verification, and evaluation of evidence. In defining the concept of proof, scholars have focused more on gathering, verifying, and evaluating evidence. However, it is worth noting that he did not dwell on the role of the subjects carrying out proof in proving. Article 86 of the Criminal Procedure Code lists the bodies carrying out proof, and it is enshrined that they are carried out by the investigator, inquiry officer, prosecutor, and court. Proof is considered as the practical activity of subjects authorized by law, carried out in a specific procedural form by collecting, examining, and evaluating evidence. In this case, the procedural consolidation of evidence is considered as an independent element of the process of proof. It can be noted that procedural consolidation of factual data is not an independent element of proof, since it is a constituent element of proof, since it is carried out for the purpose of collecting or verifying evidence.

The above-mentioned theoretical views on proof can be systematized as follows:

Proof is a procedural process carried out by an investigator, inquiry officer, or prosecutor.

Proof is the collection, examination, and evaluation of evidence.

Proof - finding, recording, obtaining, and storing evidence to establish the truth.

In criminal proceedings, proof is the process of establishing the truth about the events and circumstances of a crime, regulated by the norms of criminal procedure law.

Based on the analysis and generalization of the above-mentioned opinions, the following conclusions can be made:

Proof is a process aimed at establishing the truth in a criminal case by collecting, examining, and evaluating evidence in accordance with the procedure established by the norms of criminal procedure law by the investigator, inquiry officer, prosecutor, and court.

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