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**TITLE: UNDERSTANDING THE CONCEPT OF INTERROGATION OF  
THE SUSPECT AND THE ACCUSED IN CRIMINAL PROCEDURAL  
LAW**

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**Annotation**

This article describes the procedure for questioning the suspect and the accused, the terms of their interrogation, their rights and obligations, the legal basis for interrogation the suspect and the accused, the presumption of innocence, and the legal protection of the suspect and the accused.

**Keywords:** interrogation of the suspect and the accused, proessual period of interrogation, rights and obligations of the suspects and accused, the presumption of innocence, the legal protection of the suspect and the accused

Interrogation plays a crucial role in the criminal justice system, serving as a pivotal element in the investigation and prosecution of criminal cases. In criminal procedural law, the interrogation of suspects and accused individuals is a complex process guided by legal principles and safeguards to ensure fairness and justice.

Interrogation of the suspect and the accused is carried out in accordance with the general rules stipulated in Articles 96-108 of the Code of Criminal Procedure of the Republic of Uzbekistan.

According to Article 110 of the Criminal Procedural Code of the Republic of Uzbekistan, in the course of investigation and preliminary investigation, the suspect, accused person is detained, summoned for questioning, detained or brought to court immediately or no later than twenty-four hours after the questioning. should be done. During the court investigation, the judge must provide the defendant with the right to testify at any time. If the defendant wishes to testify during a court action, the court will give him an opportunity to testify as soon as these actions are over.

Legal Foundations: The right to interrogate a suspect or accused person is rooted in the legal framework of criminal procedural law. It is essential to differentiate between a suspect and an accused individual. A suspect is someone under initial investigation, while an accused person is formally charged with a crime. Both have rights protected by the law during the interrogation process.



**Rights of the Suspect:** When interrogating a suspect, law enforcement must adhere to constitutional rights, such as the right to remain silent and the right to legal representation. The Miranda warning, a landmark legal decision in the United States, exemplifies the importance of informing suspects of their rights before custodial interrogation. These rights aim to prevent self-incrimination and ensure that any statements made are voluntary.

**Presumption of Innocence:** According to Article 27 of the Constitution of Republic of Uzbekistan, everyone shall have the right to freedom and inviolability of the person. No one may be arrested, detained, imprisoned, taken into custody, or otherwise restricted in freedom except on lawful grounds. Arrest, commitment, and confinement are allowed only by a court decision. Without a court decision, a person may not be detained for more than forty-eight hours. During detention, the person must be informed about his or her rights and the reasons for detention in a language he or she understands.

One fundamental principle in criminal procedural law is the presumption of innocence until proven guilty. This principle guides the interrogation process to prevent coercion and protect the rights of the accused. Interrogators must avoid any practices that could lead to false confessions, recognizing the potential for vulnerability and pressure on suspects.

**Legal Protections for the Accused:** According to Article 29 of the Constitution of Republic of Uzbekistan, everyone shall be guaranteed the right to receive qualified legal assistance. In cases stipulated by law, legal assistance shall be provided at the expense of the state. Each person shall have the right to legal counsel of his or her choice at any stage of the criminal proceedings, and where the person concerned is detained, as soon as his or her right to freedom of movement is restricted. The suspect, accused or defendant shall have the right to be informed about the essence and grounds of the accusation, to demand the interrogation of persons giving evidence against him/her or in his/her favor, to use the assistance of an interpreter. Once an individual becomes an accused person, additional legal protections come into play. These may include the right to legal representation, the right to a fair trial, and protection against self-incrimination. Interrogation methods must adhere to these safeguards, fostering an environment where the accused can present a robust defense and where evidence is obtained ethically.

**Electronic Interrogation:** In the modern era, electronic interrogation methods, such as the use of video recordings and electronic transcripts, have become common. These technologies serve as valuable tools to document interrogations accurately,



ensuring transparency and accountability in the legal process. However, the use of electronic means must still align with legal standards to be admissible in court.

**Controversies and Challenges:** Interrogation methods have faced scrutiny due to concerns about coercion, torture, and the potential for false confessions. The legal system continually grapples with striking a balance between extracting information vital for solving crimes and safeguarding the rights of suspects and accused individuals.

The concept of interrogation in criminal procedural law is a nuanced and evolving aspect of the legal system. Balancing the need for effective investigations with the protection of individual rights is a delicate task. As legal frameworks adapt to societal changes and technological advancements, the interrogation process will continue to be a focal point in ensuring justice is served while upholding the principles of a fair and equitable legal system.

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