

Temporary postponement of criminal procedure

Abstract

The diploma thesis deals with the procedural institute of temporary postponement of criminal procedure. This procedural instrument is one of few exceptions from the principal of legality, which is the topic of the first chapter. The following chapter introduces historical development as this institute is quite new in the Czech criminal law. The following chapter focuses on current regulation of this institute, which can be applied in various situations. There is also a description of specific institute of temporary postponement in this chapter, which is connected to the institute of not pressing the charges against the suspect. This institute brings some problematic aspects for application, which are analysed with a purpose of finding a solution. The following chapter deals with diversions in criminal procedure including the characteristics of this category with each one being briefly described. The practical part of the thesis is dedicated to comparison between temporary postponement and diversions in criminal procedure, based on the definitions and characteristics.

The goal of this thesis is to analyze temporary postponement of criminal procedure and compare it with similar procedural instruments to find out, if it can be described as a diversion in criminal procedure.

Key words:

Opportunity, procedural instrument, diversion