

## **Abstract**

### **The criminal offence of dangerous threatening under Section 353 of the Criminal Code**

The topic of this diploma thesis is the offence of dangerous threatening pursuant to Section 353 of the Criminal Code. The thesis, which is divided into seven parts, focuses on a comprehensive presentation of this topic and provides an insight into the jurisprudence and the legislation in other states.

The first part describes the historical development of the crime of dangerous threatening, first with a brief mention of the early beginnings, which is followed by a more detailed regulation in the Czech Republic and Czechoslovak Republic.

The second part of the thesis is focused on the general concepts of criminal law, especially on the concept of a criminal offence. The aim of this part is to present the basic definition of key concepts, which are further worked on in the third part of the thesis.

The third part, which is the main part of this Master thesis, is devoted to the regulation of this criminal offence, its classification within the criminal law, international and constitutional context and its detailed characteristics. The Czech court case law is also taken into account, especially with regard to questions related to the arousing of legitimate concern.

The fourth part is devoted to the relationship of the crime of dangerous threatening to other crimes, especially the possibility of their concurrence, and further to the relationship to offences.

The fifth part of the thesis is focused on the sanctions that can be imposed for the commission of a crime, first in general, and then with a focus on which punishment or protective measures can be imposed for the commission of the crime of dangerous threatening.

The sixth part is devoted to the comparison of the Czech legislation with the legislation of other countries, especially with a focus on the Polish legislation, where the jurisprudence of the Polish courts is also discussed. Furthermore, the legislation of other neighboring states with the Czech Republic, namely Slovakia, Germany and Austria, is analyzed in more detail. Last but not least, the legislation of some other selected states are mentioned.

The last part of the work is devoted to proposals *de lege ferenda*.

**Key words:** dangerous threatening, legitimate concern, criminal offence