

## **Abstract: The issue of discontinuance of criminal prosecution in jurisprudence of Czech courts**

The discontinuance of criminal prosecution is the institution of criminal procedure law, which is relatively widely used in criminal proceedings and it may be used at its different stages. This work is focused on current and controversial issues of interpretation of discontinuance of criminal prosecution, part in light of obligatory reasons (generally defined in § 172 paragraph 1 of the Criminal Procedure Code), part in light of facultative reasons of discontinuance of criminal prosecution (§ 172 paragraph 2 of the Criminal Procedure ).

At the same time is pointed to the controversial problems in theory of interpretation. This contrariety arising out of the adoption of the new Penal Code (Act No. 40/2009 Coll.). An important part of this work is focused on the determination of basic concepts that are closely linked with the issue of the discontinuance of criminal prosecution and as such it affects.

An undivided part is also the view de lege ferenda and the regulation of some selected institutes in the proposed revision of the Penal Code.

**Key words:** Criminal procedure, discontinuance of criminal prosecution, obligatory reasons of discontinuance of criminal prosecution, facultative reasons of discontinuance of criminal prosecution.