

## CONCEPT OF SOCIAL DANGER OF FRAUD AND DESCRIPTION

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**Abstract.** *In this article, the author gives a general description of the concept of fraud and some of its specific aspects. In addition, the components of the structure of the fraud crime are analyzed, and the social danger of the fraud crime the concept was clarified. Also studied the opinions of scholars who conducted research on this topic and described the criminal-legal description of fraud.*

**Keywords:** *fraud, property of another, robbery, deception, breach of trust, property, socially dangerous crime.*

Fraud as a type of crime has been with man since the beginning of ownership to the present day. It has different appearances, adapting to life and conditions.

The high prevalence of fraudulent property theft and the large amount of damage it causes to society make it necessary to strengthen the fight against this crime.

Currently, the increase in the amount of fraud is associated with the difficulties of the economic transition to the market economy. The economic, moral, and psychological disturbances in the social relations that have arisen create favorable conditions for the peak of fraud.

Due to the fact that property and the right to it are inviolable in the world, special attention is paid to protecting it from criminal encroachments, determining liability and punishment for fraud, compensating for the damage caused by crime, improving the relevant norms of the criminal law, and researching the effective direction and prospects of preventing crimes against property, including , at the 165th session of the UN Finance Committee, the adoption of "Updated standards for combating fraud and corruption" [1] and the adoption of uniform standards for combating fraud and corruption means that today combating fraud is gaining global importance.

The social danger of fraud is determined by the encroachment on various forms of property. Article 65 of the Constitution of the Republic of Uzbekistan states that " The basis of the economy of Uzbekistan, evolving to enhance the well-being of citizens, shall be a property in its various forms. The State shall create the conditions for the development of market relations and fair competition, and guarantee the freedom of economic activity, enterprise and labour, taking into account the priority of consumer rights. Equality and legal protection of all forms of property shall be ensured in Uzbekistan. Private property shall be inviolable. An owner may not be deprived of his or her property except in the cases and according to the procedure prescribed by law and on the basis of a court decision",

According to Article 66 " An owner, at his/her discretion, shall possess, use and dispose of his/her property. The use of any property must not be harmful to the environment or violate the rights and legitimate interests of other persons, society and the state [2].

In order to ensure the priority of the requirements of the above-mentioned constitutional norm, the third section of the Criminal Code includes responsibility for criminal acts related to these relationships.

Among other crimes against property (such as theft, robbery, burglary, extortion, embezzlement, theft of property by breach of trust), the crime of fraud is more complex.

The crime of fraud is included in the list of crimes in the field of economy and is reflected in the provisions of Article 168 of the Criminal Code of the Republic of Uzbekistan as follows: to achieve”[3].

Different definitions of fraud concepts are given in scientific literature.

The first doctrinal definition of the concept of fraud was given by N.S. Tagansev and it is "fraud - deception of another's property by a person is embezzlement, and the purpose of the fraud is expressed in such a way that the victim has the opinion that the fraudster has a legal basis to take possession of the property and enter into a transaction on beneficial terms" [4]. Doctor of legal sciences, professor K. Abdurasulova said that "...fraud differs from other similar crimes in the fact that the structure of this crime is not fully explained" ” [5].

In the decision of the Plenum of the Supreme Court of the Republic of Uzbekistan dated June 23, 2023 No. 17 on the judicial practice of cases related to fraud, the forms of the crime of fraud are shown in detail [6]. According to it, Fraud is defined as illegal and gratuitous acquisition of another's property or rights to property by deception or abuse of trust, as a result of which the owner (his representative), another owner of the property or an authorized body transfers the property or the right to it to another person, i.e. allows this property or the right to it to be taken away by another person. In general, Fraud is the fraudulent acquisition of another's property or right to property.

The social danger of the crime of fraud is determined by what the offense has harmed or may harm. In property fraud, it is difficult to distinguish the actions that constitute this crime from other illegal acts. It should also be mentioned that in many cases the victims themselves play an active role in the commission of this crime. They are afraid of the criminal-legal consequences of fraud and do not act to expose the crime. They do not report the crime to the appropriate authorities. The social danger of fraud is also reflected in the fact that this crime is more common in our Republic. Besides, this crime is increasing year by year. In the process of committing the crime of fraud, the criminal can receive not only property or rights to property, but also a certain property benefit. So, after studying the scientific literature on fraudulent robbery, investigation and judicial practice, fraud can be defined as follows. Fraud is the fraudulent acquisition of another's property or right to property.

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