

Investigating the multiplicity of offense as one of the general aspects of the intensification of punishment, in Iran's penal code

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Present article reviews the institution of Concursus Delictorum (Concourse of offences), as one of the general aggravation of principles of sentencing, and tries to study, the role of this institution in Iranian law and also comparative study of this institution in France and British criminal law. So giving new outlooks in the institution of concourse for internal criminal law proceedings, is the main purpose of this article. In the first chapter of this study, the concepts discussed in institution of concourse of offence, for example, individualization of sentencing, methods of it, the principles governing it, and also, different divisions of it, the concept of Recidivism and differences of it with concourse, were explained. Then in the following, legislative history of this institution in Iran's law, before to after the revolution, and also, France's law were viewed. At the end of this chapter, the main nature of this institution and differences of this concept and the same subjects was studied. At the beginning part of the second chapter of this article, the author reviewed two types of concourse (cumul "concourse" ree'l and cumul "concourse" idea'l) and differences between them, in three criminal constitutions were studied comparatively and then positive and negative points of this institution in Iran's new law(1392) were viewed. In the last part, concourse of offence was evaluated by the author the results of this comparative study in three criminal constitutions were mentioned.

Keywords : Concourse of offence, Recidivism, Cumul (concourse)ree'l, Cumul(concourse)ide'al, Individualization of sentencing, Issue of Sentencing

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