

Jurisprudential and Legal Review of Alternative Punishment in the New Islamic Penal Code (approved in 2013)

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Abstract the beginning of the twentieth century, views are focused on reform and on that basis, it is a criminal penalty, that the offender should be corrected and rehabilitated through it. A lot of investment has been made for this purpose. But cultivating criminals with severe and severe punishment failed and trying to find different solutions began in the meantime, alternative punishments can be found among the most important solutions. Punitive alternatives are an appropriate mechanism and tool that judges can take these measures according to the individual's personality, type of offense and severity. Due to the increase in juvenile delinquency, alternative punishments are considered an appropriate solution for this stratum. The prison has many harmful and destructive effects which, in addition to the increase in the destruction of the perpetrator and his family, have led to an increase in the penal code and high costs for the government. The practice of imprisonment according to the corrupted sequence that is sometimes considered to be a crime and drug agent worse than pain. And it does not lead to the main objective of imprisonment, that is to say, the correction of the offender. Today, by extending the principle of individualizing punishments, the need to enforce punishments is seen in person and one way to achieve this replacing social penalties rather than imprisonment, especially short-term imprisonment. **Keywords:** punishment, law, imprisonment, victim, alternative

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