

**IN THE NAME OF THE REPUBLIC OF ARMENIA
DECISION OF THE CONSTITUTIONAL COURT OF
THE REPUBLIC OF ARMENIA**

**ON THE CASE OF CONFORMITY OF POINT 6 OF PART 1 OF ARTICLE 142 AND PART 5
OF ARTICLE 143 OF THE CRIMINAL PROCEDURE CODE OF THE REPUBLIC OF
ARMENIA WITH THE CONSTITUTION OF THE REPUBLIC OF ARMENIA ON THE
BASIS OF THE APPLICATION OF ARAM HAKOBYAN**

Rapporteur H. Nazaryan

Proceeding from the results of consideration of the case and being ruled by Article 100, Point 1, Article 102 of the Constitution of the Republic of Armenia (with amendments from 2005), Articles 63, 64 and 69 of the RA Law on Constitutional Court, the Constitutional Court of the Republic of Armenia **HOLDS**:

1. Point 6 of Part 1 of Article 142 of the Criminal Procedure Code of the Republic of Armenia is in conformity with the Constitution of the Republic of Armenia.

2. Part 5 of Article 143 of the Criminal Procedure Code of the Republic of Armenia is in conformity with the Constitution of the Republic of Armenia by the constitutional legal content, according to which if there is a decision to release the accused from custody, the recommendation of the body of criminal proceedings **may not be an additional procedural precondition for the head of administrative staff of the place of detention to release** the accused from the custody.

3. In accordance with Article 102(2) of the RA Constitution (with amendments of 2005) this decision is final and enters into force from the moment of its announcement.

November 21, 2017

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