

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

**ON THE CASE CONCERNING THE CONSTITUTIONALITY OF ARTICLE 123 OF
THE CRIMINAL PROCEDURE CODE OF THE REPUBLIC OF ARMENIA, RAISED
BY THE APPLICATION OF HAYK MELKONYAN**

Based on the results of an examination of the Case and guided by part 1 of Article 167, point 1 of Article 168, parts 1, 4, and 5 of Article 170 of the Constitution, as well as Articles 63, 64, and 69 of the Constitutional Law “On the Constitutional Court”, the Constitutional Court **DECIDED:**

1. Part 5 of Article 123 of the Criminal Procedure Code of the Republic of Armenia complies with the Constitution in the interpretation that the procedure, time limits, and appeal process for applying house arrest shall be governed by the relevant provisions on custody, including the guarantees provided under part 1 of Article 121 of the Code for re-arresting a person released from custody.

2. According to part 10 of Article 69 of the Constitutional Law “On the Constitutional Court”, the final judicial act issued against the Applicant shall be subject to revision based on a newly emerged circumstance as prescribed by the Law, considering that part 5 of Article 123 of the Criminal Procedure Code of the Republic of Armenia had been applied against the Applicant in the interpretation other than given by this Decision.

3. According to part 2 of Article 170 of the Constitution, this Decision shall be final and enter into force upon its promulgation.

PRESIDING JUDGE

A. DILANYAN

30 September 2025

DCC-1798