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∴ Article details

Title: Penal action and civil action in bankruptcy's offence case

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Keywords: penal action, civil action, bankruptcy

Abstract:

Civil action may be exercised along with penal action, only with the purpose of bringing back the goods, the hidden values or the fraud values in a strange way to the failure table, due to some actions which enter in bankruptcy's underground content. Creditors may have a civil part quality because they suffer the damages of the action, also like the insolvent debtors. The penal action and the mercantile action of the judicial reconstruction or debtor bankruptcy's are independent, having a different current, the charges of the 19th article, the second paragraph, Code of criminal procedure being impracticable. Only final injunctions of the penal instances have judge work authority. There is an exception: the solution of the penal pursuit instances, only if they aren't confirmed by the judgment instances. The final injunction of the mercantile instance regarding the unsolved procedure has judged work authority in front of the penal and judicial instances (prosecution instances and judgment organization) that solve the penal action, human penal responsibility, which make the bankruptcy's offence to be the object in the mercantile insolvent existing state of the condition

Introduction:

Conclusions:

References:

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