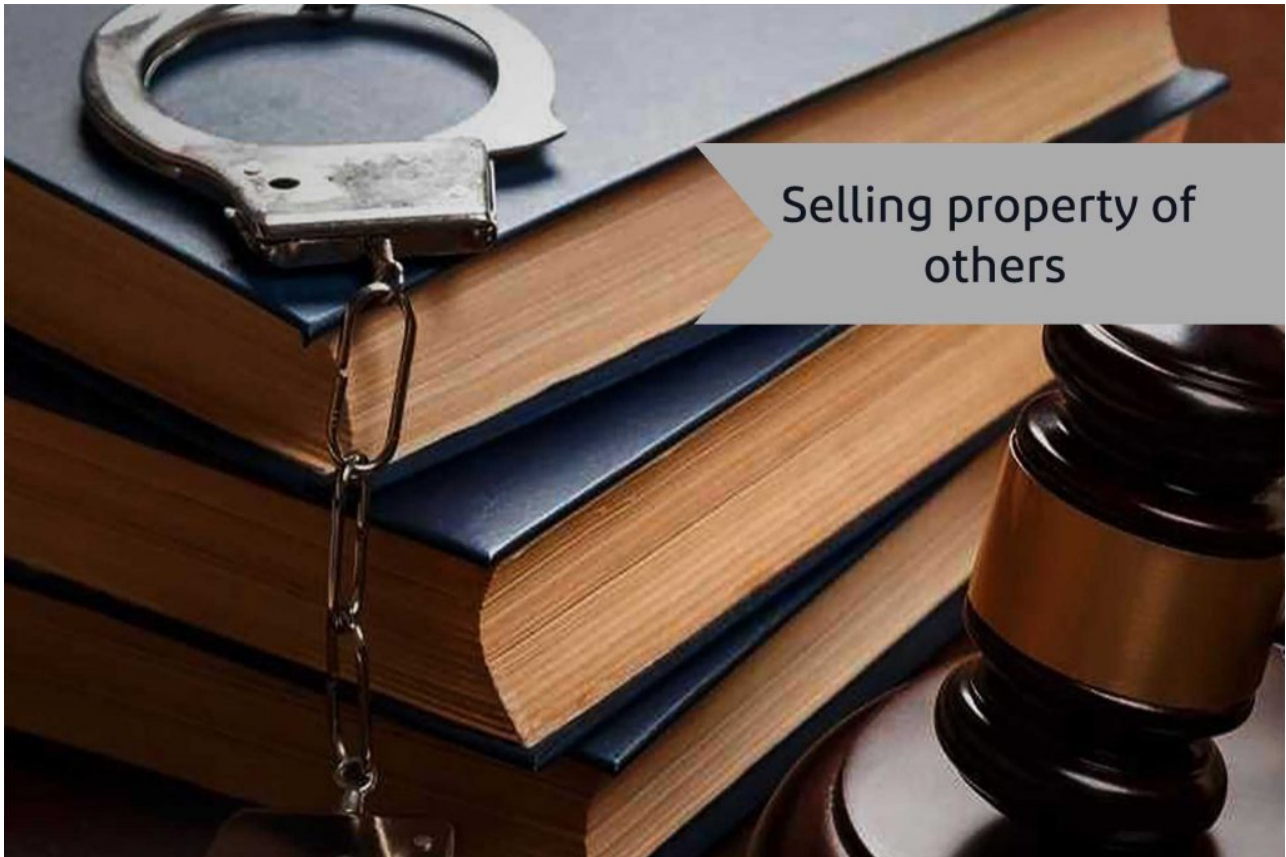


Selling property of others



Selling property of others illegally, (movable and immovable property) to another (whether the property or its benefit) by someone, both real and legal, with intent and providing previous arrangements in the form of contracts for acquisition of material interests is unjustly called the crime of transferring property of others. According to Article 1 of the Penal Code on the Transfer of Unauthorized Property of 1308, "If a person transfers other people's property to someone else in some way, directly or for profit, without legal permission, he is considered a fraud."

The elements of the crime of selling property of others

✓ Legal pillar

In committing any crime, the law has made the necessary

provisions and in that crime will be in accordance with its punishment, the law specifies the crime and announces its punishment. And the legal element of the crime of transferring property of others, is a combination of two laws approved in 1308 and 1988.

✓ Material pillar

In this crime, the owner is not present at the crime scene to be deceived, but the transfer of property by the perpetrator is considered. And this transfer is the material element of the crime

✓ Spiritual pillar

In the crime of transfer of unintentional property, it should be a criminal act with the knowledge that the property belongs to another, and the principle is based on the intentional of the crime, and if the crime was committed unintentionally, it will be against the principle of intentional in the crime. Its punishment should be further investigated.

Penalty for selling property of others

Article 238 of the General Penal Code refers to the punishment for this crime. According to this article, a person who transfers other people's property, knowing that the property belongs to someone else, and does it illegally, is subject to the crime of fraud and will be condemned.

Selling common property of others

A property that has several owners is called common property. The partners do not have the right, in addition to their share, to transfer the common share of their partner to another without his consent. This is the transfer of property of others and is a crime. The common property partner can only sell his share, and if he does not intend to transfer the share of the other partners, this is not a crime.