

Paweł Petasz

*Okoliczności przedmiotowe czynu jako podstawa ustalenia zamiaru dokonania przestępstwa zabójstwa z art. 148 § 1 k.k. z 1997 r. Wyrok Sądu Apelacyjnego w Warszawie z dnia 2 czerwca 2017 r., II AKa 137/17
(Objective elements of an offence as the grounds for establishing the intent in the offence of homicide under Article 148(1) of the Criminal Code of 1997. Judgement of the Court of Appeal in Warsaw of 2 June 2017 in Case II AKa 137/17)*

The subject-matter of the commentary to the judgement of the Court of Appeal in Warsaw, II Criminal Department, of 2 June 2017 in Case II AKa 137/17, is the conclusion concerning the possibility to establish the existence of the intent to commit homicide under Article 148(1) of the Criminal Code of 1997 when the perpetrator negates having had such an intent. The standpoint of the Court of Appeal has been approved in the commentary, however, with some critical remarks.