



La estafa procesal (Spanish Edition)

Esteban Solaz

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La estafa procesal consiste, simplemente, en una conducta engañosa cuya acción tiene lugar en el contexto de un proceso judicial de cualquier orden jurisdiccional, en el que el sujeto pasivo del engaño es el juez y el perjudicado es una persona distinta de aquél que resulta engañado. La presente monografía se dedica a eso, al estudio del régimen jurídico de esta modalidad delictiva con una evidente vocación práctica, planteando y resolviendo los diversos problemas jurídicos que dicha figura penal suscita en la praxis. Se aborda, sucesivamente, la normativa española aplicable a este delito y su evolución histórica, analizando además su bien jurídico y el contenido del injusto, así como la delimitación de las distintas clases, replanteándose posiciones hasta ahora pacíficas en la doctrina sobre los sujetos, la estructura y los elementos de este delito, resultando de gran interés el momento de su consumación, los concursos y sus relaciones con otros delitos, lo que se analiza desde las distintas posiciones doctrinales y jurisprudenciales, y finalmente se analiza esta figura penal desde la plataforma de las consecuencias jurídicas, de manera que las cuestiones relativas a la penalidad, individualización de la pena, medidas alternativas y la responsabilidad civil derivada del delito constituyen el último bloque de investigación. - See more at:

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