

Theft and extortion:

written by Dennis_ Rombaut_ | March 28, 2022

Theft is the fraudulent taking of an object from another person against the owner's will. Theft is also the taking of an object from another person for the purpose of using it, even if the object is returned.

Theft between spouses and between (grand)parents and their (grand)children cannot be prosecuted. Unless the person who takes the object abuses a vulnerability of the victim, such as advanced age, an illness or a mental defect.

A special form of theft is the theft of a house or a wage, where an employee steals or withholds things in the course of his work.

One speaks of extortion if the perpetrator does not steal anything himself but forces or threatens someone to hand something over or sign something.

The aggravating circumstances for theft are the use of violence, threats, burglary, an escape vehicle, a weapon, poisons to make someone defenceless and/or if the theft is committed at night, with several perpetrators at the same time, by a public official or by posing as a public official. Also aggravating is when the victim is seriously and/or permanently injured, dies or is tortured.

When someone is killed with the intention of stealing something from him or her, or to hide the fact that something was stolen, this is called robbery homicide.

For more information on this crime, a concrete punishment and/or tailor-made advice, contact our criminal lawyers at info@studio-penale.be.