

Criminal proceedings in Slovakia – flowchart

PROCESS OVERVIEW – LEVEL 0

Document

Version

Law

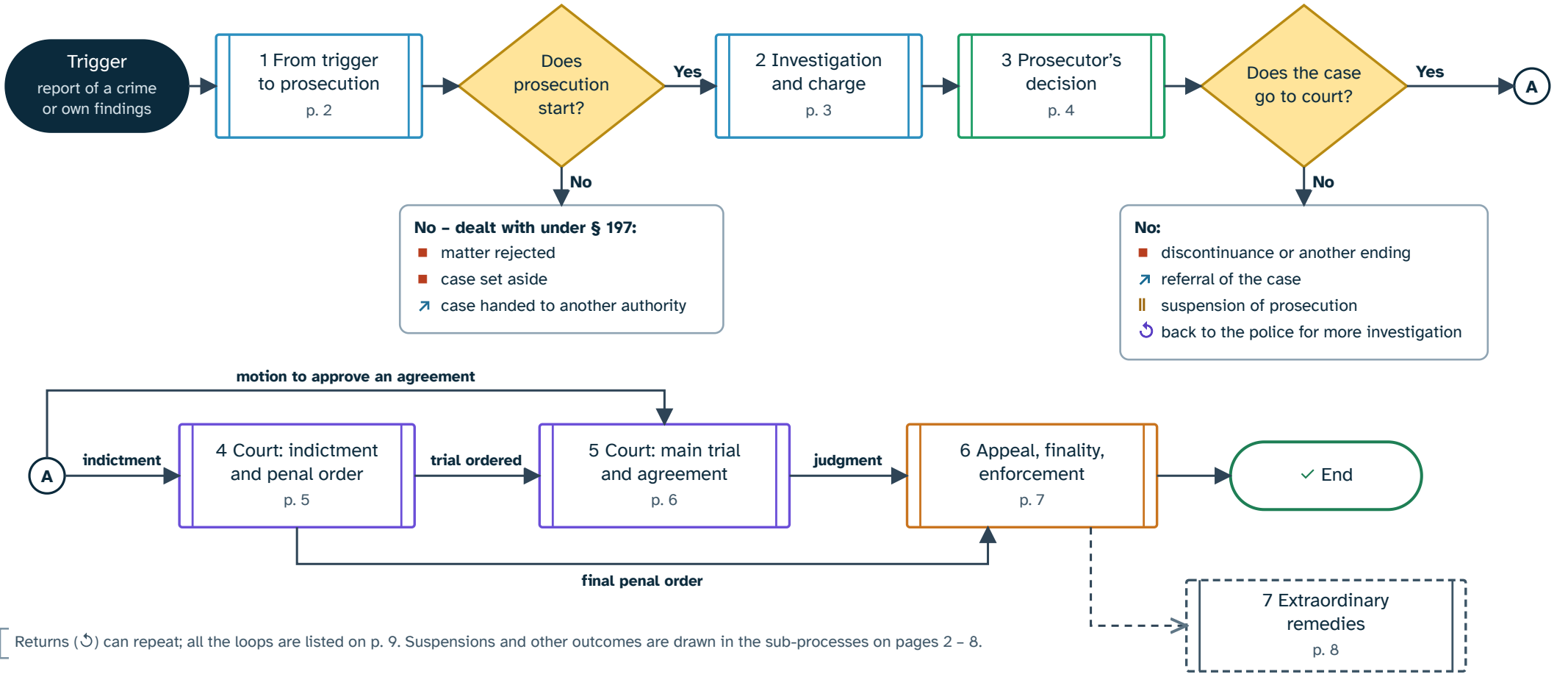
Prepared by

Process map of Slovak criminal proceedings, level 0, sub-processes 1 – 7 and loops 8 (English version)

1.1 · 21 Oct 2026

Act No. 301/2005 Coll., Code of Criminal Procedure, as in force from 18 Aug 2026

Vedomia



Returns (↺) can repeat; all the loops are listed on p. 9. Suspensions and other outcomes are drawn in the sub-processes on pages 2 – 8.

SYMBOL LEGEND

Start or end

Activity (step)

Document: resolution, indictment, judgment

Sub-process (separate procedure)

Decision: a question with Yes / No outputs

Connector to another page (letter and page)

DECISION OUTCOME

- proceedings end
- case goes to another authority
- proceedings on hold
- case goes back, even repeatedly
- continues / final
- connector on the same page

STATUS OF THE PERSON

suspect → accused (§ 206) → defendant, only if the court orders a main trial (§ 10(12)) → convicted or acquitted (final decision). The case can also end earlier.

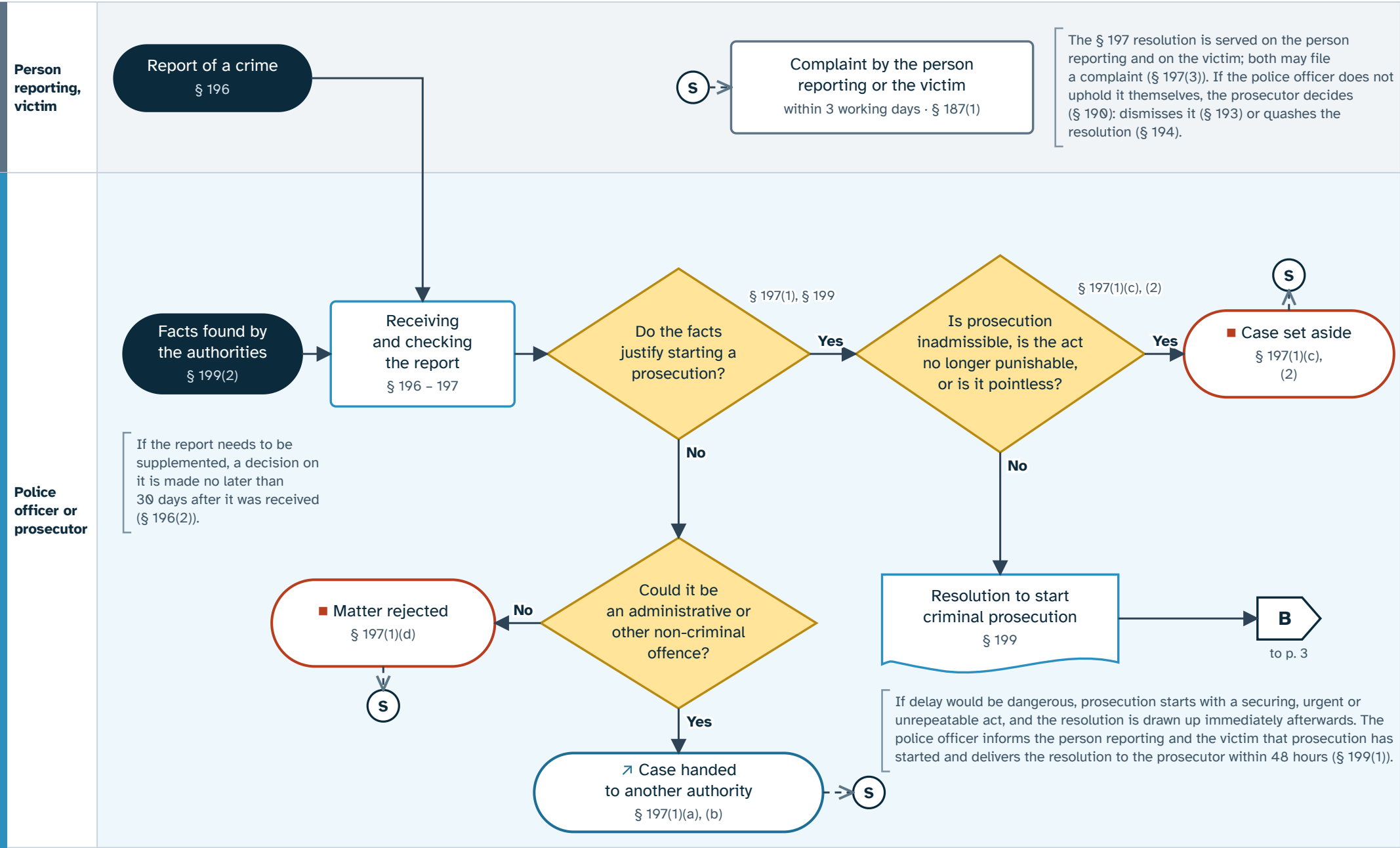
Until a court finds a person guilty in a final judgment, the person is presumed innocent (Constitution of the Slovak Republic, Art. 50(2)).

1 · From trigger to start of prosecution

Input report of a crime, or facts found by the police or the prosecutor themselves

Output resolution to start criminal prosecution (p. 3), or the case is dealt with by a resolution under § 197

Actors police officer, prosecutor, person reporting, victim



2 · Investigation and charge

Input

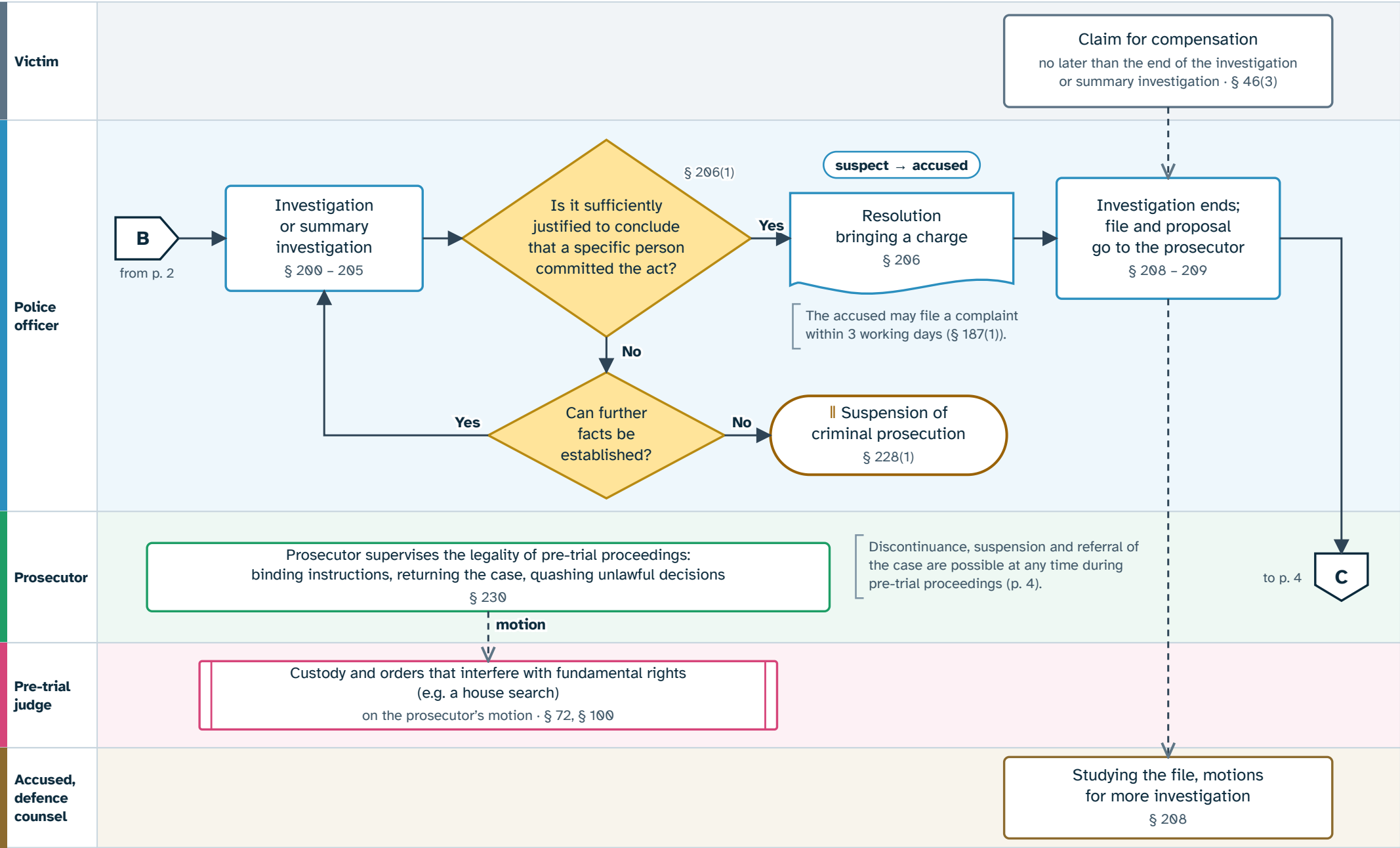
resolution to start criminal prosecution (p. 2)

Output

file with the police officer's proposal to the prosecutor (p. 4), or suspension of prosecution

Actors

police officer, prosecutor, pre-trial judge, accused and defence counsel, victim

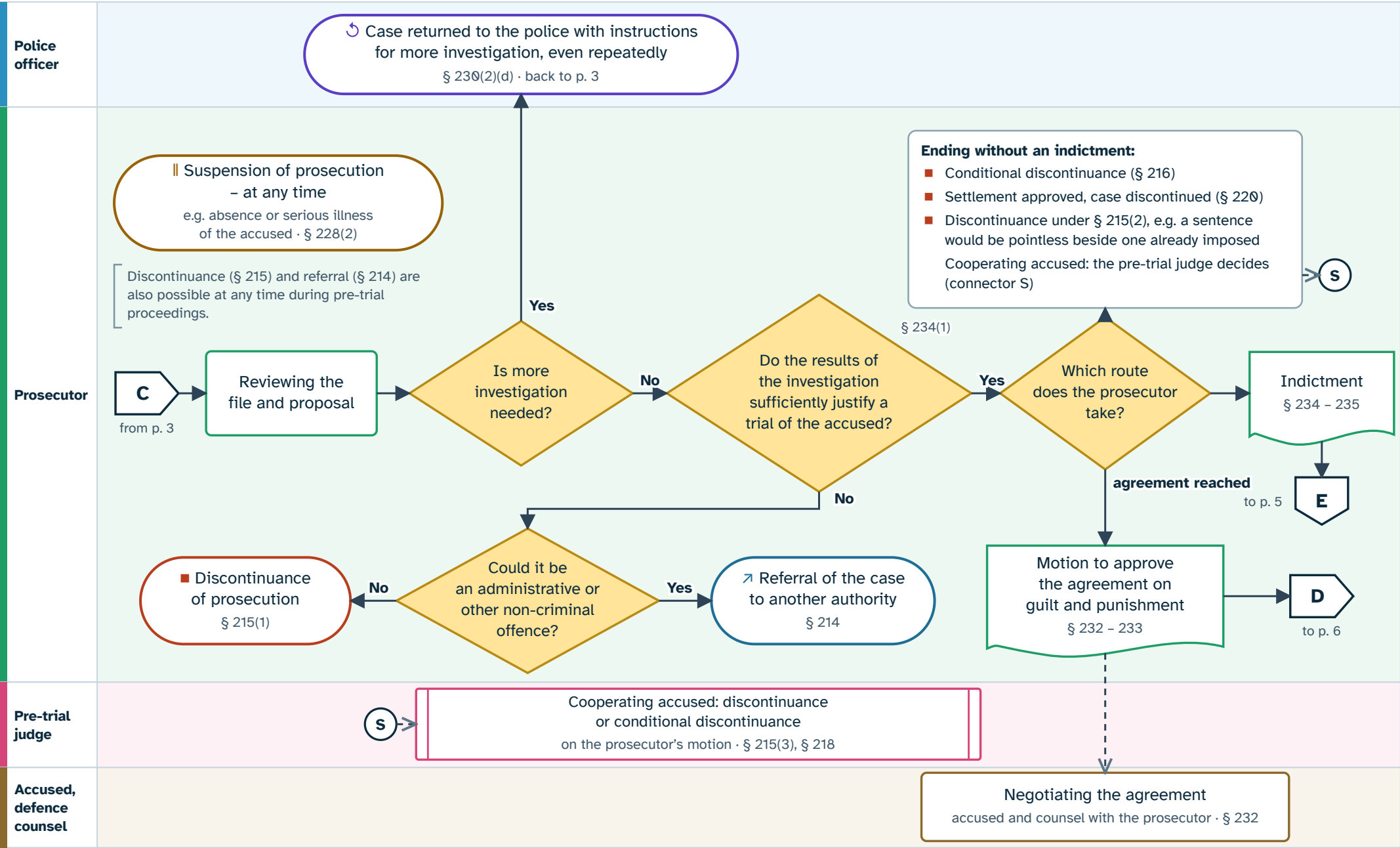


3 · Prosecutor’s decision

Input file with the police officer's proposal (p. 3)

Output indictment (p. 5), motion to approve an agreement on guilt and punishment (p. 6), or ending, referral or suspension

Actors prosecutor, police officer, pre-trial judge, accused and defence counsel

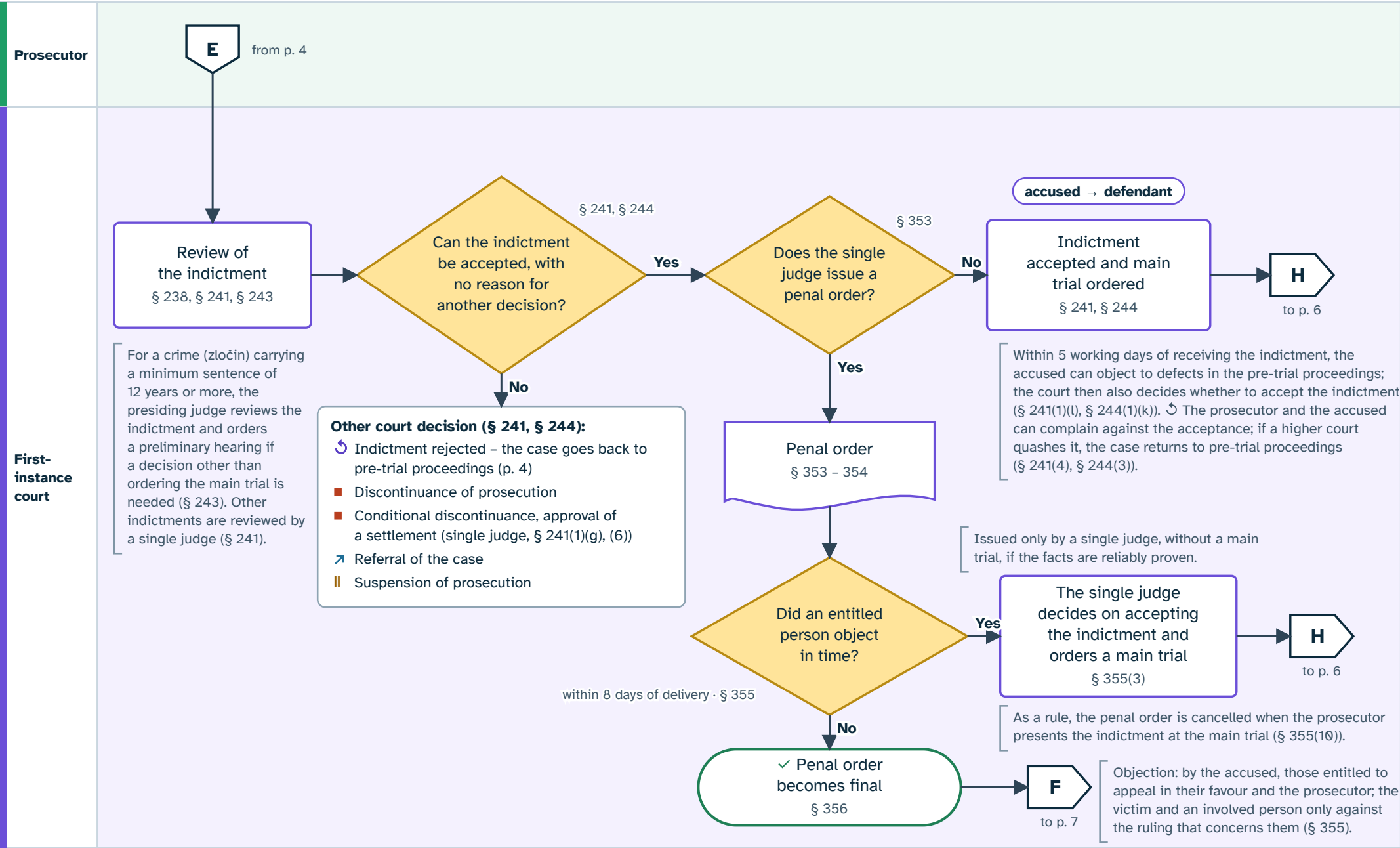


4 · Court: indictment and penal order

Inputindictment (p. 4)

Outputmain trial ordered (p. 6), final penal order (p. 7), or another decision

Actorspresiding judge or single judge, prosecutor, accused and other entitled persons



5 · Court: main trial and agreement

Input

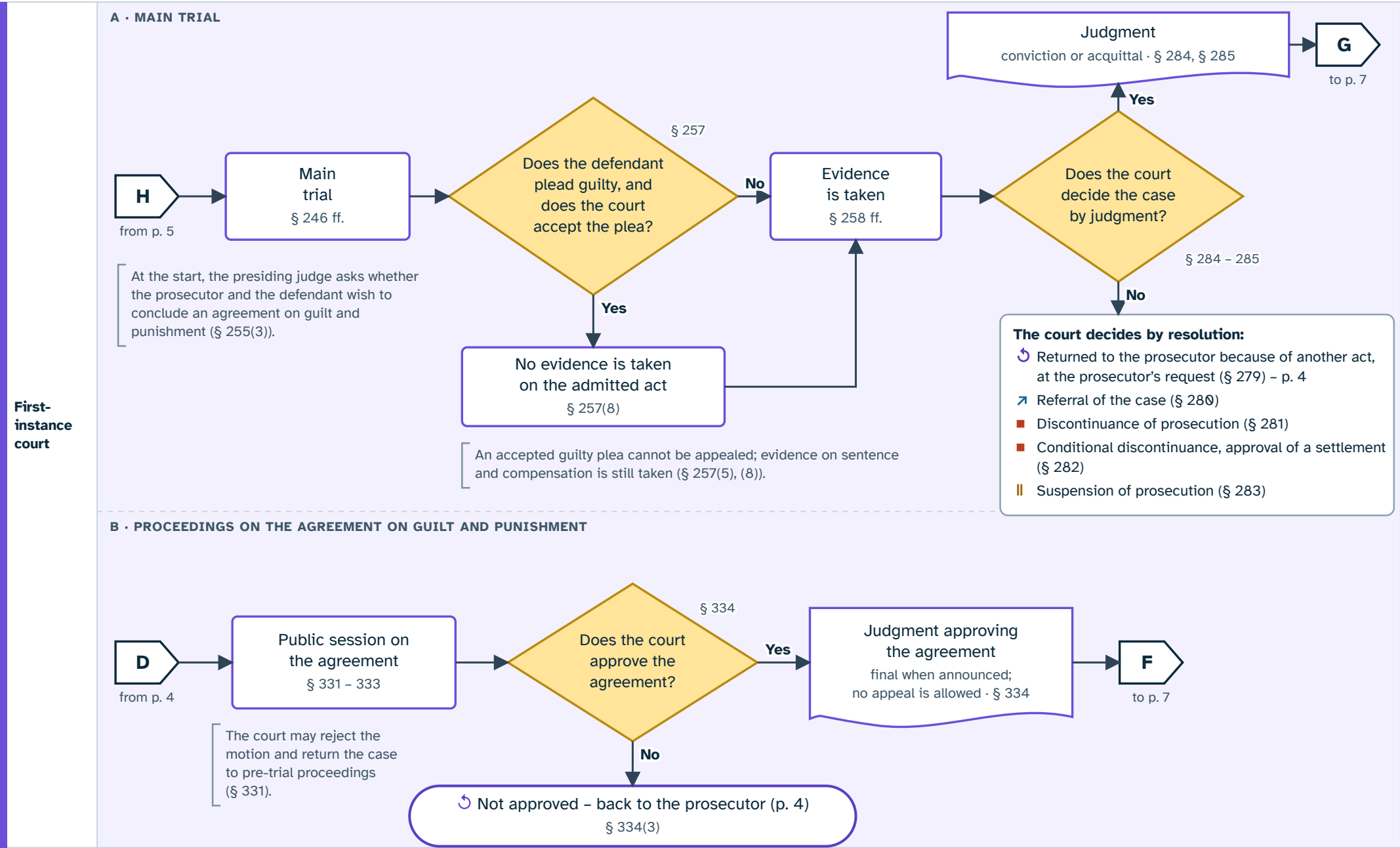
main trial ordered (p. 5), motion to approve an agreement on guilt and punishment (p. 4)

Output

judgment (p. 7), final judgment approving the agreement (p. 7), or a resolution

Actors

panel or single judge, prosecutor, defendant and defence counsel, victim

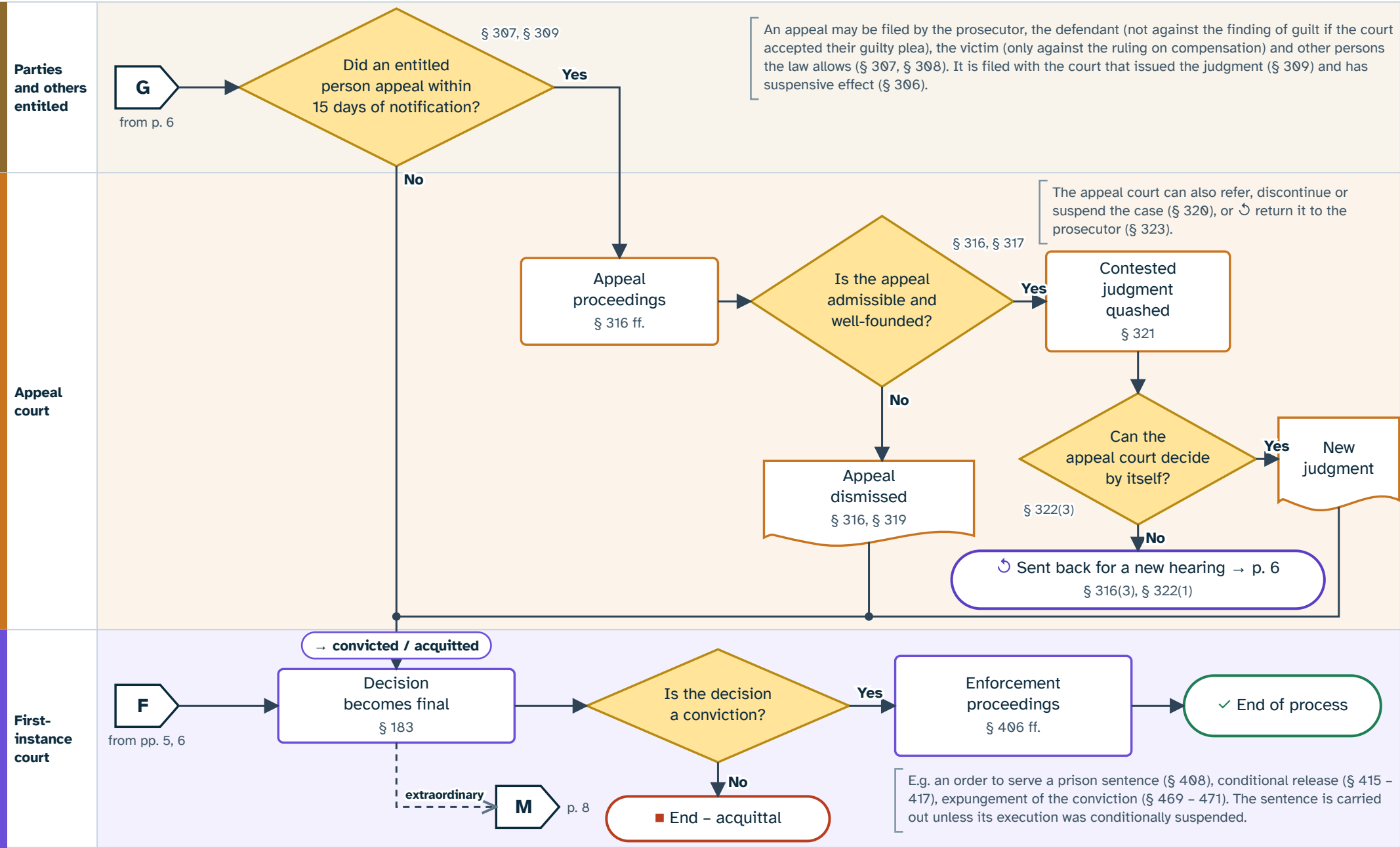


6 · Appeal, finality and enforcement

Input judgment (p. 6); final penal order (p. 5) or judgment approving the agreement (p. 6)

Output final decision and its enforcement

Actors parties and other entitled persons, appeal court, first-instance court

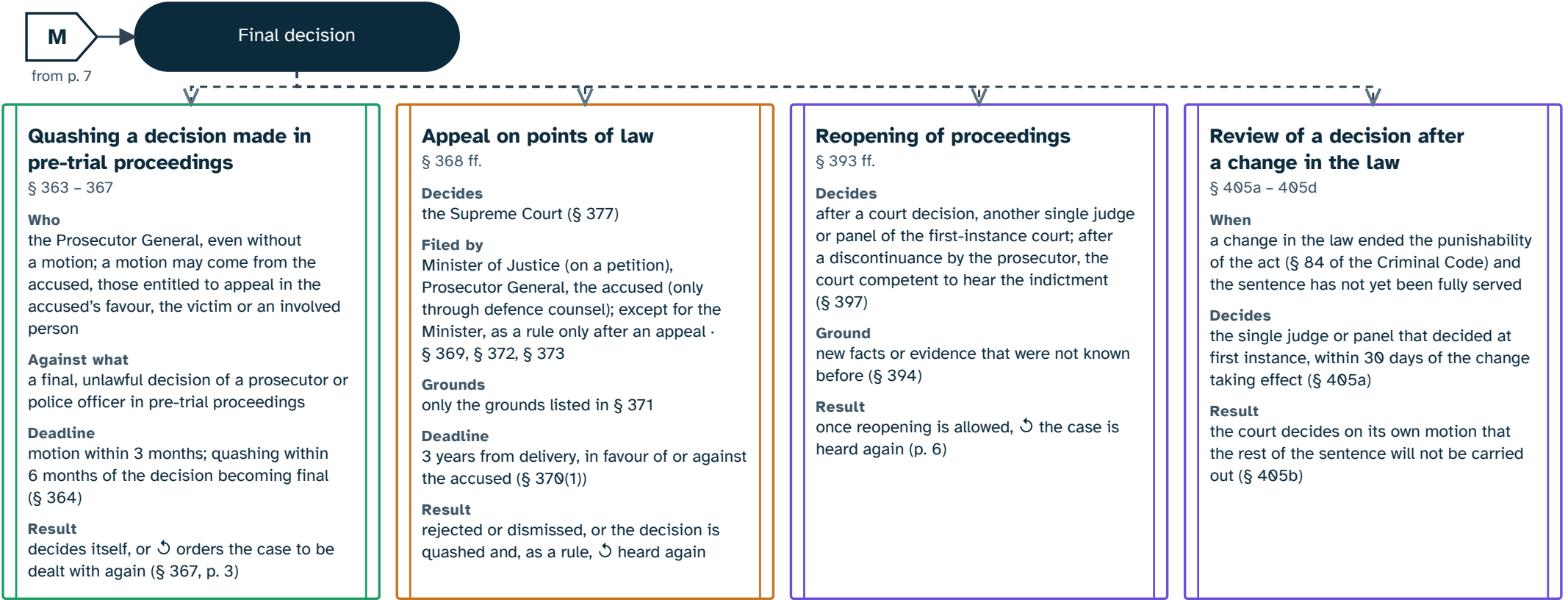


7 · Extraordinary remedies, sources

Input final decision (p. 7)

Output the decision stands, or it is quashed and the case is heard again

Actors Minister of Justice, Prosecutor General, Supreme Court of the Slovak Republic, first-instance court, accused and defence counsel



SOURCES

Act No. 301/2005 Coll., Code of Criminal Procedure, as in force from 18 Aug 2026 (sections are given at each step).

Act No. 300/2005 Coll., Criminal Code. Constitution of the Slovak Republic, Art. 50(2) (presumption of innocence).

Deadlines: complaint, as a rule, 3 working days (§ 187(1)); objection to a penal order 8 days from delivery (§ 355(1)); appeal 15 days from notification of the judgment (§ 309); compensation claim by the end of the investigation or summary investigation (§ 46(3)).

↺ How a case goes back after a decision is quashed, how often that can happen and what limits it: see p. 9.

DISCLAIMER

A simplified process map for information and education. It is not legal advice and does not replace the text of the law or advice from a lawyer. The diagram shows the main routes; the law also has other procedures and exceptions. English translation of Slovak legal terms; the Slovak text of the law is authoritative. Vedomia does not provide legal services and accepts no liability for decisions made on the basis of this material.

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8 · Loops: where a case goes back

Shows

decisions that send the case back to an earlier stage; from there it can reach the same decision again

How often

the law does not limit the number of returns, but the brakes below apply every time

Symbol

↻ on pages 4 to 8

	Who sends the case back	Where it goes	What limits the loop	Page
1	The prosecutor returns the case to the police for further investigation § 230(2)(d)	police, investigation (p. 3)	the prosecutor gives binding instructions and a deadline	4
2	The court rejects the indictment and returns the case to the prosecutor, or a higher court quashes its acceptance on a complaint § 241(1)(f) and (4), § 244(1)(h) and (3)	pre-trial proceedings (p. 4)	only on statutory grounds: serious procedural defects (e.g. a breach of the right to a defence), an incomplete file, a defective indictment, unlawful benefits to a cooperating person	5
3	The court rejects the motion for an agreement on guilt and punishment, or does not approve the agreement § 331, § 334(3)	pre-trial proceedings (p. 4)	the court can first state its reservations, and the parties can propose new wording (§ 334(2))	6
4	The court at the main trial, or the appeal court, returns the case to the prosecutor for further investigation § 279, § 323	pre-trial proceedings (p. 4)	only if another act by the defendant came to light and the prosecutor asked for the return	6
5	The appeal court quashes the judgment and sends the case back § 316(3), § 322(1)	first-instance court, new hearing (p. 6)	only for a serious procedural defect, or if completing the proceedings itself would be unduly difficult or could lead to different findings of fact; otherwise it decides itself (§ 322(3))	7
6	The superior body upholds a complaint, quashes the resolution and orders a fresh decision § 194(1)(b)	the same body	the body is bound by the superior body's opinion (§ 194(5))	2 – 5
7	The Prosecutor General, the Supreme Court after an appeal on points of law, or a court after reopening quashes the decision § 366, § 367, § 388, § 400	pre-trial proceedings, first or second instance	only on statutory grounds and within statutory time limits; bound by their opinion (§ 367(3), § 391(1))	8

WHAT HOLDS THE LOOPS IN CHECK

Bound by the legal opinion: whoever gets the case back follows the opinion of whoever sent it back (§ 194(5), § 327(1), § 367(3), § 391(1)).

No change for the worse: if a decision was quashed only on an appeal or appeal on points of law in the defendant's favour, the new decision cannot be worse for them (§ 327(2), § 391(2)).

Acquittal: the appeal court cannot itself find guilty a person whom the first-instance court acquitted (§ 322(4)(a)).

Another panel or court: a higher court can order the case to be heard again by another panel, another judge or another court (§ 194(4), § 325, § 388(2)).

Reasonable time: everyone has the right to have their criminal case heard within a reasonable time (§ 2(7)).

A suspension (II) is not a loop: the case stands still; once the reason ends, a decision is made to continue (§ 228(5)).

REVISION HISTORY AND REVIEW

Version	Date	Change	Review
1.0	20 Oct 2026	First edition. Legal status: Code of Criminal Procedure as in force from 18 Aug 2026.	separate check with an AI tool (not a lawyer)
1.1	21 Oct 2026	Corrections: appeal on points of law 3 years (§ 370), indictment review (§ 241, § 243), matter rejected (§ 197), cancelling a penal order (§ 355), case sent back by the appeal court (§ 316(3)); new p. 9 on loops.	review from the point of view of a lawyer, a judge and a language editor (AI tools, not a lawyer); checked against the full text on Slov-Lex