

## SETTLEMENT VS. MEDIATION IN THE CRIMINAL TRIAL

Lucian CHIRIAC\*  
Sonia Bianca BLAJ\*\*

*“The most sacred of all  
the courts to be the one the persons create between themselves  
and which would be chosen by agreement”.*

PLATO



**ABSTRACT:** *The alternative methods of resolving disputes between different persons represents one of the concerns of the contemporary society which has risen in the context of economical, social and scientific development – catalysts of new types of conflicts. Thus, new approaches have had to be found in order to complement and be of help to the judicial system, as well as to the possible parties, hence promoting the amiable settlement of conflicts.*

*By means of this study, the authors wish to identify a few aspects related to the institution of dispute settlement and to mediation in criminal law procedure, whilst presenting some advantages of these two which are able to influence the offender`s and aggrieved person`s behavior, in this way making them more responsible and helping them to be more aware of their actions. Are those judicial procedures such as settlement, withdrawal of the preliminary complaint, mediation, capable of spelling the end of dictum "Homo Homini Lupus est"?*

**KEY-WORDS:** *settlement, mediation, advantages, conflicts, Criminal Code, amiable settlement*

**JEL Code:** *K14*

---

\* Prof. univ. dr. "Petru Maior" University of Tg. Mureș, Faculty of Economics, Law and Administrative Sciences, Tîrgu-Mureș, Lawyer at Mures Bar, ROMANIA.

\*\*Trainee Lawyer, Mures Bar, ROMANIA.