

Peng Ji Yue



Position: Senior Partner

Practice Areas: Criminal Defense Civil and
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Professional Experience

Mr. Peng Jiyue is a senior partner of Beijing King&Capital Law Firm, and the head of the third department of King&Capital's criminal practice. Mr. Peng is a special lawyer of the Supreme People's Procuratorate's expert consulting pool, one of the first lawyers of Rule of Law Daily, and a researcher of Northwestern University of Politics and Law's Institute of Advanced Criminal Defense, and was awarded "Star of Strength" in the field of China's commercial crime defense by Legalone in 2024.

Peng Jiyue has long been focusing on criminal defense business in the fields of office crimes, commercial crimes, financial crimes, network crimes, tax-related crimes, etc. Among the cases he has handled, there are many cases in which he has been involved in both business and commercial crimes. Among the cases he has handled, there is the "Lei Yang Incident" which aroused national attention and promoted the rule of law, and also the "Hengyang Election Sabotage Case" which shocked the whole country (he was the defense lawyer of the Party Secretary of Hengyang Municipal Party Committee involved in the case). Many of the cases handled by Mr. Peng have been reported by CCTV News Channel, Caixin.com and other authoritative media. In addition, Mr. Peng has been invited to give professional speeches at China University of Political Science and Law, Renmin University of China and Chinese Academy of Social Sciences to share his experience in defense practice.

In the field of duty crimes, Mr. Peng has handled many major and difficult cases involving provincial ministerial-level and bureau-level cadres as well as leaders of large-scale central enterprises, and is well known in the industry. Mr. Peng advocates the "dual-track defense system of party discipline and state law" in handling cases of duty crimes, accurately distinguishing the boundaries between disciplinary violations and crimes, and is good at negotiated defense. In the Central Commission for Discipline Inspection of the former vice chairman of the Hunan Provincial Committee of the Chinese People's Political Consultative Conference of the child negligence case, former Ministry of Railways cadres Yang bribery case, it is because of Peng adhere to the personal, and the concept of the defense of the front, a number of cases to achieve the "reduction of the crime, the sentencing is reduced, and the reduction of fines," the goal of the three-fold defense.

In the field of commercial crimes, Mr. Peng has made remarkable achievements in defending well-known entrepreneurs and corporate executives. With more than ten years of experience as an executive of a Fortune 500 foreign company, Mr. Peng has developed a unique advantage of "business thinking + legal thinking", and is good at precisely locating the focus of commercial disputes and effectively distinguishing between business risks and criminal offenses. Representative cases include: successfully withdrawing four of the six charges for Yang, the chairwoman of a Hong Kong listed company; helping executives of Baidu and Fortune Real Estate to obtain acquittal by reconstructing the business model argument.

Mr. Peng has represented many cases involving banks, and some of the cases have industry benchmarking significance. In the case of Baoshang Bank, he was the chief defense lawyer for the president of the bank; in the case of a bank in Tianjin with 2.8 billion notes fraud, he was appointed as the agent of the case with the first comprehensive score after the national bidding, and the senior management of the head office of the bank gave the evaluation of "exceeding the expectation" after the case was handled, which demonstrated his unique advantages in the resolution of complex financial risks and high-level commercial dispute resolution.

Representative Cases and Projects

Partially handled cases

(i) Cases of national influence or landmark cases on the rule of law

2013 Hengyang Election Bribery Case: defending the Party Secretary of a prefecture-level city, a case named by the 12th National People's Congress.

2016 "Lei Yang case": triggered a nationwide debate that year, promoting changes in the system of full audio-visual recording of the law enforcement process.

2019 Baoshang Bank case: served as the defense counsel for the president of Baoshang Bank, which was the first bankrupt commercial bank in China, involving more than 100 billion yuan.

(ii) Functional crime cases

The case of Tong, former vice chairman of the Hunan Provincial Committee of the Chinese People's Political Consultative Conference (CPPCC), for dereliction of duty: a case handled by the Central Commission for Discipline Inspection.

The case of Yang Mou, former director of the Equipment Department of the Ministry of Railways and former director of the Beijing Municipal Railway Bureau, who received a large amount of unexplained property and accepted bribes: no prosecution for one offense and a lighter sentence for the other.

The case of Tian, a bureau-level cadre of the Beijing Municipal Public Security Bureau, who committed a job-related crime: the amount involved was nearly one hundred million yuan, and the case was designated by the Supreme Prosecutor's Office to be handled off-site.

The case of Xu Mou's use of influence to accept bribes in connection with the construction of the Sichuan Tianfu Airport project: the judicial authorities recognized it as the largest case involving the amount of money involved in this crime in China at the time of the crime.

Misappropriation of public funds involving Han, director of a government office in Fushun City, Liaoning Province: a criminal case arising from the settlement of government construction project payments.

Yang, a director of Shandong Province, embezzlement and bribery: after defense, the sentence was reduced by half on the basis of guilty plea.

Misappropriation of public funds, abuse of power and acceptance of bribe by a director in Hebei province: the director was awarded the title of national model worker and national thirty-eight red flag bearer.

The bribery case of Yang, director of a hospital in Hebei province: the sentence was reduced by half on the basis of guilty plea after defense.

Bribery and acceptance of bribe case of Guo, an executive of a subsidiary of CITIC Group: a case investigated by the CCDI, involving complex business backgrounds at home and abroad.

The bribery case of Zhang, general manager of a financial financing company in Shandong: the largest bribery case in a prefecture-level city in Hunan at the time of the case.

Zhou, a regiment-level cadre in Beijing, was convicted of buying and selling official documents of state organs and fraud: the Procuratorate recommended a sentence of more than ten years for the crime of fraud, and the court found that the charge of fraud was not substantiated after the defense.

Wang Mou, general manager of Chongqing Sanjiu Automobile Co., Ltd. misappropriation of public funds crime of the Supreme People's Court appeal case.

Huang, Director of Intellectual Property of 360 Company, non-state staff bribery case: shook the intellectual property community, and the final charge amount was reduced by half.

The case of Lian Mou, an executive of the Taiyuan branch of Fuli Real Estate, for misappropriation of duties and acceptance of bribes by non-state staff: the original verdict was successfully revoked after the second trial was commissioned, and the significant facts of acceptance of bribes were not recognized in the end.

The case of non-state staff accepting bribes by Wang Mou, director of a department of Baidu: the arrest was not approved and the case was withdrawn.

Bribe-taking by a non-state official by Wei, a head agent of Lenovo: arrest was not authorized and the case was withdrawn.

(III) Criminal cases of entrepreneurs and business executives

The case of Dr. Xia Mou, a Harvard doctor and former chairman of Lotus MSG, a listed company, for breach of trust to the detriment of the interests of the listed company: the criminal risk originating from the process of mergers and acquisitions of listed companies.

The case of Yang Mou, one of the top ten economic women in China in 2005 and the chairman of a listed company in Hong Kong, suspected of committing economic crimes: all of the charges related to blackmail were not prosecuted at the stage of review and prosecution, and the case was successfully "removed from the hat".

Liaoning Province, ten outstanding young people, Dalian, chairman of a business group company Wang Mou provocation, occupation case: the provincial public security department supervision, the original first trial was sentenced to 15 years, remanded for retrial of the first trial suspected of occupying more than 300 million yuan of the crime of occupation was acquitted.

Fujian provincial people's congress, fujian "ship king" of a company chairman liu mou accused of financial crimes: reduce the sentence, hundreds of millions of dollars of assets disposal doubtful shelved.

The case of Deng Mou, known as the "richest man" in Hunan Province, who was charged with forgery, alteration of identity documents and bigamy: not prosecuted for one of the crimes, and ultimately released on bail, with a suspended sentence of seven months.

The case of Wang Mou, general manager of a bus company in Jiamusi, Heilongjiang, who committed "subsidy fraud": critical comments on characterization, and the sentence was reduced by six years in the second trial.

Fraud case of Su Mou, a shareholder of an agricultural company in Heilongjiang: accused of fraud due to a dispute between partners, sentenced to 13.5 years in the first trial, and the sentence was reversed after a defense was commissioned in the second trial.

The fraud case of Gao Mou, the actual controller of a company in Xiamen, who was suspected of purchasing imported automobiles on behalf of the company: the case was not prosecuted in the end, and he was acquitted after being detained for a number of days.

Lin Mou, a shareholder of a company in Shanghai, in the case of misappropriation of duties and false litigation: the amount of misappropriation of duties exceeded one hundred million yuan, and the subversive defense was conducted in the second trial.

The case of Xu Mou, vice president of Fujian School Uniform Association and chairman of a company suspected of fraud: through the defense of evidence, the original verdict was revoked in the second trial, and the sentence was reduced by half in the retrial.

Wenzhou entrepreneur Liu Mou was accused of loan fraud by a city prosecutor's office in Anhui: responding to a city investment policy, go to a place to set up a business in the process of market changes triggered by the loan risk.

Handan an enterprise chairman wu refuses to pay labor remuneration crime: wulanchabu city government set up a task force of criminal cases eventually withdrawn.

Contract fraud case of a general manager of a concrete commercial concrete company in Zhangjiakou, Hebei, Sun Mou: the first instance verdict of thirteen years, the final characterization changed to the crime of forging seals, the verdict was three years

The case of Zhang Mou, an entrepreneur in Huangshi City, Hubei Province, for selling land use rights: the case was dismissed.

The case of infringement of citizens' personal information by the HR manager of a department of Tencent: criminal risk arising from the negligent storage of work computers by HR practitioners.

Criminal case of suspected fraud by a director of a department of Fuhua Real Estate Company: the criminal case was successfully withdrawn.

The case of Xu, an executive of Pacific Insurance Shenzhen Company, who was convicted of misappropriation: the amount of the charge was found to be reduced by half, and the sentence was reduced by half.

Illegal Mining and Illegal Occupation of Agricultural Land Case of Chai, a senior executive of CCCC Group: suspected of committing a crime for taking soil and stone during construction, not prosecuted after defense.

Counterfeiting Patent Offense of Li, a sales person in charge of a company in Hangzhou, Zhejiang Province: the public security organs were directly accused of seducing and investigating the problem, and the sentence was eventually suspended.

(IV) Cases of Crimes in Banking and Financial Fields

Baoshang Bank case: announced by the China Banking Regulatory Commission as "China's first bankrupt commercial bank", involving 150 billion yuan of major financial crimes. Served as the chief defense counsel for Wang Mou, the president of Baoshang Bank, accused of five crimes, and argued away two crimes at the stage of review and prosecution.

A bank in Tianjin was cheated of 2.8 billion yuan: a new type of financial crime case supervised by the Ministry of Public Security, acting as the bank's criminal attorney.

A branch of CITIC Bank was cheated of 4 billion RMB: the bank encountered false lawsuits after lending money, and acted as a criminal and civil cross-case.

Case of illegal loan issuance by Zhao, former president of a bank of CITIC Bank: a case supervised by the Ministry of Public Security transferred by the National Audit Office.

The case of Li, a senior executive of the Trust Division of Minsheng Bank and a senior student of Peking University, who was accused of using influence to accept bribes: a case supervised by the Provincial Supervisory Commission, and the sentence was eventually reduced by half through pre-trial consultation.

The case of Beijing Shengshihuihai Investment Company for illegally absorbing public deposits of more than 2 billion yuan: a special report on BTV's "The Rule of Law in Progress".

(E) Cases of cybercrime, pyramid schemes and tax-related crimes

The case of a company in Qingdao charged with fraud: more than 180 people were detained, and the first defendant, Xin, was defended. CCTV reported it as a new type of fraudulent cybercrime, which ultimately changed the characterization of the case, and the sentence was reduced by one grade and one half.

A Chongqing online game company game mode suspected of gambling, company executives were charged with opening a casino case: a new type of

difficult cybercrime case, supervised by the Ministry of Public Security.

A listed live broadcast company in Hong Kong is suspected of helping letter, money laundering and other crimes: involved in helping offshore gambling and money laundering activities, successfully helped the company and the general manager was not charged.

The case of Zhang, general manager of a technology company in Zhongguancun, falsely opening VAT invoices: avoiding the wrong payment of over ten million dollars in taxes, minimum sentencing range sentencing.

The case of organizing and leading a pyramid scheme by Zhang, the manager of the Shangqiu branch of a Hebei company: sentenced to probation, and over 1 billion dollars of withheld property could not be disposed of directly after the completion of the defense.

Jilin province, a health care group company northern district general agent tianjin xu mou organization, leading pyramid scheme case: in the group company boss, the southern district general agent was arrested and sentenced to bail, and finally withdrawn from the case processing.

(VI) Other Effective Defense Cases

Heilongjiang Province supervised the black case Wu Mou organization, leading triad society nature organization and fraud and other crimes: for the defense of the first offender, for the Heilongjiang Province, the key supervised cases.

Dongguan, Guangdong, a major evil criminal group case: the client was accused of evil criminal group backbone members, after the pre-trial defense was sentenced to change from the proposed seven years to three years.

Ningxia Zhou Mou black-affiliated case: accused of four crimes, successfully defended three crimes not prosecuted.

The case of Liu Mou in Xinjiang, accused of concealing and concealing the proceeds of crime: the case-handling authorities conducted several supplementary investigations, and the Procuratorate ultimately refused to make an arrest.

Hebei retired cadres Li obstruction of official business: eight days to convince the Procuratorate not to arrest and later not prosecuted.

Gong Mou rape case in a district of Beijing: arrest was not approved and the case was withdrawn.

Fujian Cai Mou child molestation case: after the trial, the public prosecutor paid tribute to the professionalism and dedication of the defense.

Zhengzhou, Henan, an enterprise in charge of Li Mou due to fire led to a large shopping mall was destroyed suspected of major accidents: defense, although the amount of money involved is particularly huge, but the court did not adopt the Procuratorate sentencing recommendations, in the sentencing starting point sentencing.

Yang Mou v. Hubei Municipal Public Security Bureau of administrative compensation case: in the Procuratorate, Discipline Inspection Commission, Supervisory Commission charges a public security bureau does not provide law enforcement audio and video suspected of violating the law unsuccessfully, three times to sue a public security bureau, and ultimately, in the litigation public security organs agreed to produce audio and video recordings.

Professional Evaluation and Word of Mouth

Evaluation of the parties and their families

- Yang, former director of the Equipment Department of the Ministry of Railways and director of the Beijing Municipal Railway Bureau, said after the trial, "I thought it was useless to hire a lawyer for my case, but I didn't expect your work to be so meticulous and professional, and the police officers who sent me back said that lawyers can't reply to the opinions of prosecutors in court"

- Dr. Harvard, Zhejiang a listed company chairman of the board of directors XiaMou: "thank peng lawyers dedicated service, and sincerely hope that your professional ability, professional ethics and persistent efforts, can be in each case in due return."

- Wang, president of Baoshang Bank, wrote to his family, "Thank you for hiring the King&Capital lawyers for me, Mr. Peng, they are not only professional, but the courage and wisdom embodied in handling the case is even more valuable."

- Liaoning province ten outstanding young people, dalian big world business group general manager wang mou in the final statement stage of the trial, said: "peng lawyer, your defense is amazing, the rule of law history will remember you, thank you for your wonderful defense."

- Chai, a senior executive of CCCC Group, was charged with illegal mining and illegal occupation of agricultural land, and wrote a letter after receiving the decision not to prosecute: "My case involves two charges allegations, and is still a supervised case, and in the end, I am not prosecuted. Thank you for accurately grasping the details of the case and for your strong professional analysis, especially for your efficient and effective communication with the judicial authorities. Responded to my queries in a timely manner, and every aspect was handled very well."

- Fujian School Uniform Association vice president, a company owner Xu: "Peng lawyer, our family's case, without you, it is impossible to go from the first instance judgment of 13 years to the present 6 years, you have done your best, these years are you to support us to come over"

- Former a national team kayaking champion Xin said after the trial: "Peng lawyer, your defense beyond my imagination, too shocking, the police who guarded us said you must be a lawyer who has handled a big case and seen a big scene, you said what we want to say but can not say in our hearts"

- After defending a regimental cadre, his wife wrote: "Peng lawyer, you let me deeply feel that you are a sentimental legal workers, your sense of justice and rigorous work style, clear logical thinking ability, let me feel the most deeply."

I case workers, lawyers peer evaluation

- A city in jiangsu public security bureau of a special case group host police officer: "Peng lawyer is I engaged in public security work since I can contact the professionalism, meticulous and rigorous work of lawyers, can in the complexity of the evidence in the cocoon, remove the false and save the truth, digging into the clues, refining, summing up the defense opinions. Especially for new types of cases, peng is good at challenge, good at thinking, good at research, and actively communicate with the public prosecutors and lawyers, fully express the lawful demands of the parties, its practical action highlights the pattern of China's rule of law and power!"
- A city in Shandong Public Security Bureau Criminal Investigation Instructor: "In recent years, my unit has investigated a number of cases that have a greater impact in the country, during which contact with a number of outstanding lawyers from well-known law firms across the country. Among them, Mr. Peng from Beijing King&Capital Law Firm left the most profound impression on me. Mr. Peng's first impression on me is that he has exquisite professionalism and a high degree of professionalism, is very affable, and can quickly establish good communication and collaboration with the case-handling authorities."
- A province, a supervisory committee deputy secretary: "Peng lawyers do things in a modest and prudent manner, low-key and calm, express the opinion of moderate speed, precise wording. Mr. Peng's professional spirit of love and dedication, respect for facts and evidence is always worth learning from me, a disciplinary inspector who has been engaged for more than twenty years."
- A region's richest man case contractor prosecutor: "Peng lawyer for fairness, justice, in order to not allow wrongful convictions, not far from thousands of miles many times on the legal basis, analysis of evidence and other defense opinions and the contractor to discuss, its dedication, the spirit of the law is worthy of affirmation and trust."
- A bank was cheated 2.8 billion yuan case trial judge: "Peng lawyer professional with accurate judgment of the case facts and evidence, the use of legal knowledge to solve the problem of the core competence; communication with the complex legal issues into the ability to express in layman's terms."
- Liaoning province lawyers association criminal committee deputy director, former senior prosecutor LiuYingJiu lawyers, co-processing a public security department supervised the case, said: "peng lawyers proficient in law, the client's due diligence is admirable, especially in the trial of the performance of the judges and prosecutors and even the victim's agent unanimously praised as the case of the other a defender for a colleague such as you And proud."

Professional Appointments and Affiliations

Researcher of the Advanced Institute of Criminal Defense of Northwestern University of Politics and Law
Specialized lawyer in the first batch of Lawyer Expert Pool of Rule of Law Daily
Expert of the Supreme People's Procuratorate's Complaint and Appeal Expert Consultation Pool
Legal Aid Lawyer for Death Penalty Review Cases Selected by the Ministry of Justice
Member of Commercial Crime Prevention and Defense Committee of Beijing Lawyers Association
Member of the Alumni Association of the University of International Business and Economics

Education

University of International Business and Economics Master's Degree Dual Degree in Law and Management
Wudaokou School of Finance, Tsinghua University Specialized study in financial management