

Legal Analysis Number 1667/Pid.B/2024/Pn Lbp Concerning Robbery Resulting in Death

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ABSTRACT

Laws and regulations in Indonesia play an important role in maintaining public order and security. The legal system in this country is designed to regulate various aspects of life, including the prevention and handling of crime. Laws, such as the Criminal Code (KUHP) and other related regulations, aim to uphold justice and protect human rights. These provisions aim to provide a deterrent effect and combat the crime of mugging, as well as to protect the community to the maximum. This research is categorized as normative legal research, which focuses on the analysis of legal norms and applicable legal provisions. Based on the definition put forward by Soerjono Soekanto (2013), normative legal research examines how law as a written norm is applied in various concrete cases. This method is often used to understand and explain the application of law in certain situations by analyzing legal texts such as laws, regulations, and court decisions. In the context of this research, this approach is applied to examine legal norms related to mugging crime cases, especially through the analysis of regulations in the Criminal Code (KUHP).

Keywords: Indonesian legislation, Criminal Code (KUHP), Begal crime, Law enforcement, Human rights.

INTRODUCTION

Legislation in Indonesia plays an important role in maintaining public order and security. The legal system in this country is designed to regulate various aspects of life, including the prevention and handling of crime. Laws, such as the Criminal Code (KUHP) and other related regulations, aim to uphold justice and protect human rights. One of them is orderly driving on the highway, recently the public has been disturbed by the crime of motorcycle theft which has become a public concern. Based on the book by Prof. Dr. Andi Hamzah (2014), Begal is categorized as one type of serious and dangerous street crime, which not only results in material losses for victims but can also cause physical and psychological trauma. Article 365 of the Criminal Code stipulates the punishment for perpetrators of violent theft, including begal, with the threat of punishment that can reach the death penalty, life imprisonment, or imprisonment for a certain period of up to twenty years, especially if the act results in serious injury or death of the victim. In the book Criminal Law: Theory and Practice, Prof. Dr. Andi Hamzah (2023) emphasizes the

importance of the legal system in maintaining public order and security. This book explains that one of the main functions of criminal law is the prevention and handling of crime, including street crimes such as motorcycle theft. Hamzah emphasized that the Criminal Code and other related regulations are designed to uphold justice and protect human rights, in line with the objectives stated in the background.

Based on the description above, the author is interested in further analyzing the legal review based on the decision letter number 1667/Pid.B/2024/PN Lbp regarding the victim of the robbery who died. This research is expected to contribute to the development of criminal law in Indonesia, especially in handling cases of robbery that result in death. So the author conducted a study entitled "Legal Analysis of Number 1667/Pid.B/2024/PN Lbp concerning robbery resulting in death".

METHODS

The witnesses presented at the trial played an important role in revealing the facts related to the theft incident. One of the main witnesses in this case was the victim, Hartini, who testified about how her motorbike was stolen from her house without her knowledge. Hartini explained that on the night of the incident, the door to her house was unlocked, which allowed the defendant to enter and take the motorbike.

In addition to the victim, another witness presented was the victim's son, Febryan Syahputra, who had direct involvement after the theft occurred. The witnesses presented in the trial played an important role in revealing the facts related to the theft incident. One of the main witnesses in this case was the victim, Hartini, who testified about how her motorbike was stolen from her house without her knowledge. Hartini explained that on the night of the incident, the door to her house was unlocked, which allowed the defendant to enter and take the motorbike.

RESULTS

Court decisions not only affect the perpetrators, but also the victims. For perpetrators, the prison sentence imposed will significantly affect their lives. Defendants who are given heavy sentences, for example, will lose their freedom for a long period of time, which can have an impact on their social, economic, and family relationships. In addition, experiences in the criminal justice system can also leave a deep psychological impact on perpetrators, especially if the sentence is considered unfair or too severe for the crime committed.

For victims, court decisions can provide a sense of justice and satisfaction if the punishment imposed is in accordance with the losses they have experienced. In this case, Hartini as the victim has lost her motorbike, which is an important item in her daily life. If the punishment against the perpetrator is considered too light, the victim may feel that justice has not been fully upheld. On the other hand, an appropriate punishment will provide relief that the law has functioned well and protected the rights of the victim.

In addition, court decisions can also have an impact on the social relationship between the perpetrator and the victim, especially if they live in the same community. Even though the sentence has been handed down, the relationship between the perpetrator and

the victim may still be tense or even hostile. The decision can also affect the public's perception of the perpetrator and his family, especially in the context of small communities where social stigma often follows after someone is involved in a criminal case. Therefore, the impact of the decision must be considered not only from a legal perspective, but also from a social and psychological perspective.

CONCLUSION

The crime of mugging in Indonesia is included in the category of theft with violence as regulated in Article 365 of the Criminal Code. The punishment for mugging perpetrators can be the death penalty, life imprisonment, or imprisonment depending on the level of violence and the consequences caused. Although this legal regulation is clear, implementation in the field still faces various obstacles, including the difficulty of collecting evidence and limited law enforcement resources, which affect the effectiveness of the application of punishment.

In the verdict of case number 1667/Pid.B/2024/PN Lbp, the defendant was sentenced to 2 years and 6 months in prison for motorcycle theft. Although it did not cause any fatalities, this case shows how the law is applied in acts of robbery. Law enforcement against perpetrators of robbery is important to provide a deterrent effect and maintain public security, but efforts to increase the effectiveness of the law are still needed, especially in handling cases with higher levels of violence.

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