

**ANALISIS YURIDIS TERHADAP PELAKU PENYALAHGUNAAN
NARKOTIKA BERDASARKAN PUTUSAN PENGADILAN NEGERI
SINGARAJA NOMOR 197/PID.SUS/2021/PN.SGR**

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ABSTRAK

Penelitian ini bertujuan untuk mengetahui dan menganalisis pengaturan penegakan hukum serta pertimbangan hakim mengenai pelaku tindak pidana narkotika berdasarkan Putusan nomor 197/Pid.Sus/2021/PN. Sgr dan Undang-Undang No. 35 Tahun 2009, serta menganalisis progres dalam penanganan penyalahgunaan narkotika. Jenis penelitian yang digunakan adalah penelitian hukum normatif, dengan jenis pendekatan peraturan perundang-undangan, dan pendekatan kasus. Sumber bahan hukum yang digunakan yaitu bahan hukum primair, sekunder, dan tersier yang berkaitan dengan aturan perundang-undangan sesuai dengan penelitian. Teknik pengumpulan bahan hukum yang digunakan dalam penelitian ini yaitu studi dokumen dan interpretasi bahan hukum berupa argumentatif hukum. Hasil penelitian menunjukkan bahwa (1) Penegakan hukum terhadap pelaku tindak pidana narkotika berdasarkan Putusan Pengadilan Negeri Singaraja Nomor 197/Pid.Sus/2021/PN.Sgr oleh penegak hukum telah terimplementasi sesuai dengan program pemerintah dan undang-undang pidana narkotika sebagai upaya represif dan preventif. (2) Pertimbangan Majelis Hakim dalam menjatuhkan putusan perkara pidana berdasarkan putusan Pengadilan Negeri Singaraja Nomor 197/Pid.Sus/2021/PN.Sgr telah memperhatikan aspek yuridis dan non-yuridis dalam menemukan suatu kebenaran dan menciptakan keadilan sehingga pertimbangan hakim dalam perkara tersebut telah sesuai dengan fakta hukum di persidangan dan secara sah menghasilkan kepastian hukum keadilan dan kemanfaatan baik dari terdakwa maupun penegak hukum.

Kata Kunci : Narkotika, Pertimbangan Hakim

***JURIDICAL ANALYSIS OF NARCOTICS ABUSE PERSONS BASED ON
SINGARAJA STATE COURT DECISION NUMBER
197/PID.SUS/2021/PN.SGR***

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ABSTRACT

This research aims to find out and analyze law enforcement arrangements and judges' considerations regarding drug offenders based on Decision number 197/Pid.Sus/2021/PN. Sgr and Law No. 35 of 2009, as well as analyzing progress in handling narcotics abuse. The type of research used is normative legal research, with a type of regulatory approach, and a case approach. The sources of legal materials used are primary, secondary, and tertiary legal materials related to laws and regulations in accordance with research. The technique of collecting legal materials used in this study is the study of documents and interpretation of legal materials in the form of legal arguments. The results research showed that (1) Law enforcement against perpetrators of narcotics crimes based on the Singaraja District Court Decision Number 197/Pid.Sus/2021/PN.Sgr by law enforcement has been implemented in accordance with government programs and narcotics criminal laws as a repressive and preventive effort. (2) The consideration of the Panel of Judges in passing the decision of a criminal case based on the decision of the Singaraja District Court No. 197/Pid.Sus/2021/PN.Sgr has paid attention to the juridical and non-juridical aspects in finding a truth and creating justice so that the judge's consideration in the case is in accordance with the legal facts at trial and legally produces legal certainty of justice and expediency from both the defendant and law enforcement.

Key Word : Narcotics, Judges' Considerations