

**PENERAPAN *RESTORATIVE JUSTICE* DALAM KASUS PENADAHAN
MELALUI FACEBOOK *MARKETPLACE* DI KEJAKSAAN NEGERI
BULELENG**

Oleh

Claudia Magdalena Ritonga, NIM 2114101099

Program Studi Ilmu Hukum

ABSTRAK

Penelitian ini bertujuan untuk menganalisis dan mengkaji penerapan *restorative justice* dalam kasus penadahan melalui Facebook *Marketplace* di Kejaksaan Negeri Buleleng. Penelitian ini fokus pada praktik penerapan *restorative justice*, meskipun kerugian yang ditimbulkan melebihi batas yang ditetapkan dalam peraturan. Jenis penelitian yang digunakan adalah penelitian yuridis empiris dengan pendekatan deskriptif. Sampel yang dipilih menggunakan teknik non-probability sampling, yaitu Purposive Sampling. Data dikumpulkan melalui observasi, wawancara, dan studi dokumen, kemudian dianalisis secara kualitatif. Penerapan *restorative justice* dalam kasus ini tetap dimungkinkan meskipun nilai kerugian melebihi Rp2.500.000, asalkan seluruh syarat substantif yang diatur dalam Peraturan Kejaksaan No. 15 Tahun 2020 terpenuhi. Penghentian penuntutan dalam kasus penadahan ini didasarkan pada prinsip keadilan bagi korban dan tingkat ketercelaan perbuatan pelaku. Korban tidak mempermasalahkan perbuatan penadahan dan lebih memprioritaskan pengembalian sepeda motor miliknya yang berhasil dikembalikan dalam keadaan utuh. Korban juga mendukung proses perdamaian dan tidak menuntut tersangka penadah, setelah pelaku utama pencurian terlebih dahulu melakukan perdamaian.

Kata Kunci: *Restorative justice*, Penadahan, Facebook *Marketplace*, Kejaksaan Negeri Buleleng.

**THE APPLICATION OF RESTORATIVE JUSTICE IN THEFT CASES
THROUGH FACEBOOK MARKETPLACE AT THE PUBLIC
PROSECUTOR'S OFFICE OF BULELENG**

By

Claudia Magdalena Ritonga, NIM 2114101099

Law Study Program

ABSTRACT

This study aims to analyze and examine the application of Restorative Justice in theft cases through Facebook Marketplace at the Public Prosecutor's Office of Buleleng. The focus of this research is on the practice of implementing Restorative Justice, even though the losses incurred exceed the limits set by regulations. The type of research used is empirical juridical research with a descriptive approach. The sampling method employed is non-probability sampling, specifically Purposive Sampling. Data was collected through observation, interviews, and document study, and then analyzed qualitatively. The application of Restorative Justice in this case is still possible even though the loss value exceeds Rp2,500,000, as long as all the substantive requirements outlined in the Attorney General Regulation No. 15 of 2020 are met. The cessation of prosecution in this theft case is based on the principle of justice for the victim and the degree of the perpetrator's fault. The victim does not consider the act of receiving stolen goods problematic and prioritizes the return of the motorcycle, which was successfully returned in its entirety. The victim also supports the reconciliation process and does not press charges against the receiver of the stolen goods after the main perpetrator of the theft first initiated reconciliation.

Keywords: *Restorative Justice, Theft, Facebook Marketplace, Public Prosecutor's Office of Buleleng,*