

**PENERAPAN PERATURAN KEJAKSAAN NO 15 TAHUN 2020
TENTANG PENGHENTIAN PENUNTUTAN BERDASARKAN
PENDEKATAN RESTORATIVE JUSTICE PERKARA
TINDAK PIDANA PENGGELAPAN DI KEJAKSAAN NEGERI
BULELENG**

Oleh

Komang Urip Sidi Maharta, NIM 2114101217

Program Studi Ilmu Hukum

ABSTRAK

Penelitian ini bertujuan untuk mengetahui dan menganalisis penerapan Peraturan Kejaksaan Nomor 15 Tahun 2020 tentang Penghentian Penuntutan berdasarkan pendekatan *Restorative Justice* dalam perkara tindak pidana penggelapan di Kejaksaan Negeri Buleleng serta untuk menganalisis kendala yang dihadapi jaksa dalam pelaksanaannya. Penelitian menggunakan metode studi hukum empiris dengan pengumpulan data melalui analisis dokumen, observasi, dan wawancara. Teknik pengambilan sampel *non-probabilitas* dalam bentuk *purposive sampling* digunakan untuk menentukan narasumber dan informan. Hasil penelitian menunjukkan bahwa penerapan Peraturan Kejaksaan No. 15 Tahun 2020 mengacu pada syarat-syarat dalam Pasal 5 di Kejaksaan Negeri Buleleng telah berjalan efektif dan humanis, namun perlu peningkatan sosialisasi dan pendampingan hukum agar keberhasilan pendekatan ini semakin optimal. Namun, terdapat kendala berupa sikap tersangka yang merasa benar serta tuntutan ganti rugi korban yang kadang melebihi nilai kerugian materiil, yang menghambat efektifitas penerapan keadilan restoratif.

Kata Kunci: Kejaksaan Negeri Buleleng , Penerapan, *Restorative Justice*, Tindak Pidana Penggelapan Handphone

**IMPLEMENTATION OF PROSECUTORIAL REGULATION NO. 15 OF
2020 ON CESSATION OF PROSECUTION BASED ON RESTORATIVE
JUSTICE APPROACH IN EMBEZZLEMENT CASES AT BULELENG
DISTRICT ATTORNEY'S OFFICE**

By

Komang Urip Sidi Maharta, NIM 2114101217

Law Study Program

ABSTRACT

This study aims to identify and analyze the implementation of the Prosecutor's Regulation Number 15 of 2020 regarding the Termination of Prosecution based on a Restorative Justice approach in cases of mobile phone embezzlement at the Buleleng District Prosecutor's Office, as well as to analyze the obstacles faced by prosecutors in its implementation. The study uses an empirical legal study method with data collection through document analysis, observation, and interviews. A non-probability sampling technique in the form of purposive sampling is used to determine the sources and informants. The results show that the implementation of Prosecutor's Regulation No. 15 of 2020 referring to the requirements in Article 5 at the Buleleng District Prosecutor's Office has been carried out effectively and humanely, but there is a need to enhance socialization and legal assistance to further optimize the success of this approach. However, there are obstacles such as defendants who feel they are right and victim restitution demands that sometimes exceed the material losses, which hinder the effectiveness of restorative justice implementation.

Keywords: *Buleleng District Prosecutor's Office, Implementation, Restorative Justice, Mobile Phone Embezzlement Crime*