

ABSTRAK

ANALISIS PUTUSAN HAKIM TERHADAP PELAKU TINDAK PIDANA PENGANIAYAAN (Studi Putusan Nomor 105/Pid.B/2022/PN Met)

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Penganiayaan merupakan perbuatan yang menyebabkan rasa sakit, luka, atau penderitaan baik jasmani maupun rohani pada orang lain. berdasarkan putusan Nomor 105/Pid.B/2022/PN Met. Pemidanaan terhadap terdakwa terlampau ringan, serta hak korban penganiayaan belum semestinya dijadikan sebagai salah satu pertimbangan. Berdasarkan hal tersebut, rumusan masalah dalam penelitian ini bagaimanakah dasar pertimbangan hakim dalam menjatuhkan putusan terhadap pelaku tindak pidana penganiayaan (studi putusan nomor Nomor 105/Pid.B/2022/PN Met) dan apakah putusan Nomor Nomor 105/Pid.B/2022/PN Met telah memenuhi tujuan pemidanaan.

Penelitian ini menggunakan metode pendekatan yang bersifat yuridis normatif dan didukung yuridis empiris menggunakan pendekatan peraturan perundang-undangan yang berlaku serta studi kepustakaan dan didukung wawancara dengan narasumber pada penelitian ini terdiri dari Hakim pada Pengadilan Negeri Metro, Jaksa pada Kejaksaan Negeri Metro, dan Dosen Bagian Hukum Pidana Fakultas Hukum Universitas Lampung. Penelitian ini menggunakan analisis data secara deskriptif kualitatif.

Hasil Penelitian dan pembahasan menunjukkan bahwa dasar pertimbangan majelis hakim dalam menjatuhkan putusan Nomor 105/Pid.B/2022/PN.Met dianalisis dari tiga aspek utama, yaitu yuridis, filosofis, dan sosiologis. Dari aspek yuridis, majelis hakim telah mempertimbangkan secara cermat dakwaan yang diajukan oleh Penuntut Umum dengan sistem subsidiaritas, yakni dakwaan primair Pasal 351 ayat (2) KUHP tentang penganiayaan yang mengakibatkan luka berat dan dakwaan subsidair Pasal 351 ayat (1) KUHP tentang penganiayaan biasa. Berdasarkan fakta persidangan, majelis hakim menilai bahwa tusukan senjata tajam yang dilakukan terdakwa tidak mengakibatkan luka berat sebagaimana dimaksud dalam Pasal 90 KUHP, sehingga unsur dakwaan primair tidak terpenuhi. Oleh karena itu, terdakwa hanya terbukti secara sah dan meyakinkan melakukan tindak pidana penganiayaan sebagaimana diatur dalam Pasal 351 ayat (1) KUHP, dengan ancaman pidana penjara paling lama 2 tahun 8 bulan. aspek filosofis, putusan pemidanaan selama 1 tahun penjara terhadap terdakwa dinilai belum mencerminkan keadilan substantif bagi korban maupun masyarakat. Vonis tersebut belum mempertimbangkan secara utuh dampak psikologis dan fisik yang dialami korban akibat perbuatan terdakwa.

Sulistiawan Prasetyo

Pada aspek sosiologis, putusan ini tetap memberikan manfaat sebagai bentuk penegakan hukum dan upaya pencegahan kejahatan di masyarakat. Hukuman penjara yang dijatuhkan kepada terdakwa dapat memberikan efek jera, baik kepada pelaku maupun masyarakat luas, agar tidak melakukan perbuatan serupa. Tujuan pemidanaan dalam 105/Pid.B/2022/PN.Met dalam KUHP Nasional telah terpenuhi dalam aspek pembalasan, pencegahan, dan restoratif. Namun dalam aspek rehabilitasi belum terwujud dikarenakan pemulihan kerugian pada korban dengan pemidanaan dalam putusan belum berkeadilan dengan korban.

Adapun saran dalam penelitian ini, kepada majelis hakim dalam menjatuhkan putusan terutama berkaitan dengan tindak pidana penganiayaan diharapkan memperhatikan pertimbangan secara yuridis, filosofis, dan sosiologis terutama pada aspek filosofis yang mewujudkan rasa keadilan kepada masyarakat dengan mengutamakan hak-hak korban dalam pemulihan kerugiannya. Penulis berharap kepada penegak hukum menerapkan tujuan pemidanaan dalam KUHP Nasional sebagai bentuk penyelesaian konflik dengan pemulihan hak korban tindak pidana penganiayaan

Kata kunci : Penganiayaan, Putusan Hakim, tujuan pemidanaan

ABSTRACT

ANALYSIS OF JUDGE'S DECISION ON THE PERPETRATOR OF THE CRIME OF ASSAULT (A Study of Decision Number 105/Pid.B/2022/PN Met)

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Assault is an act that causes pain, injury, or suffering, both physically and mentally, to another person. Based on Decision Number 105/Pid.B/2022/PN Met, the punishment imposed on the defendant was relatively light, and the rights of the victim of assault were not adequately considered as one of the main factors in the judgment. Based on this, the research problems formulated are: what are the basic considerations of the judge in rendering a verdict against the perpetrator of the crime of assault (case study of Decision Number 105/Pid.B/2022/PN Met), and whether the decision has fulfilled the objectives of criminal punishment.

This research uses a normative juridical approach, supported by an empirical juridical approach, utilizing statutory and literature studies, as well as interviews with resource persons consisting of Judges at the Metro District Court, Prosecutors at the Metro District Attorney's Office, and Lecturers in Criminal Law at the Faculty of Law, University of Lampung. The data analysis is conducted descriptively and qualitatively.

The results and discussion show that the judge's considerations in Decision Number 105/Pid.B/2022/PN.Met are analyzed from three main aspects: juridical, philosophical, and sociological. From the juridical aspect, the panel of judges carefully considered the charges submitted by the Public Prosecutor using a subsidiarity system, namely the primary charge of Article 351 paragraph (2) of the Criminal Code regarding assault resulting in serious injury, and the subsidiary charge of Article 351 paragraph (1) of the Criminal Code regarding ordinary assault. Based on the facts of the trial, the judges found that the stabbing with a sharp weapon committed by the defendant did not result in serious injury as defined in Article 90 of the Criminal Code, so the elements of the primary charge were not fulfilled. Therefore, the defendant was only proven legally and convincingly to have committed the crime of assault as regulated in Article 351 paragraph (1) of the Criminal Code, which carries a maximum prison sentence of 2 years and 8 months. Philosophically, the one-year imprisonment sentence imposed on the defendant is considered not to reflect substantive justice for the victim or society. The verdict did not fully consider the psychological and physical impact suffered by the victim as a

Sulistiawan Prasetyo

From the sociological aspect, this decision still provides benefits as a form of law enforcement and crime prevention in society. The prison sentence imposed on the defendant can have a deterrent effect, both for the perpetrator and the wider community, to prevent similar acts. The objectives of punishment in Decision Number 105/Pid.B/2022/PN.Met under the National Criminal Code have been fulfilled in terms of retribution, deterrence, and restorative aspects. However, the aspect of rehabilitation has not been realized because the recovery of losses for the victim through the punishment in the decision is not yet equitable for the victim.

The suggestion in this research is that judges, in rendering decisions, especially related to criminal acts, are expected to consider juridical, philosophical, and sociological aspects, particularly the philosophical aspect that realizes a sense of justice for society by prioritizing the rights of victims in the recovery of their losses. The author hopes that law enforcement officers will implement the objectives of punishment in the National Criminal Code as a form of conflict resolution by restoring the rights of victims of criminal acts of assault.

Keywords: Assault, Judge's Decision, Purpose of Punishment