JURNAL HUKUM Khaira Ummah

Master of Law, UNISSULA

E-ISSN: 2988-3334
ISSN: 1907-3319
Vol. 20 No. 2 June 2025

Criminalization of Perpetrators of the Crime of Theft with Pancasila Aggravation (Criminal Case Study Decision Number: 401/Pid.B/2024/PN Bgl)

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Abstract. *Law is a norm or rule that contains mandatory legislation and anyone who violates the article will receive legal sanctions. The legal subjects who are to be prosecuted are not only those who have actually committed unlawful acts, but also legal acts that may arise and equip the state to act in accordance with the laws currently in force. The crime of theft itself is regulated in Article 362 of the Criminal Code and the crime of aggravated theft is regulated in Article 363 of the Criminal Code. The crime of theft is one of the types of crimes in Indonesia, this violation is regulated in Article 362 of the Criminal Code. There are many ways to classify the types of theft crimes, one of which is the crime of theft with its level adjusted according to Article 363 of the Criminal Code Research from the case study of decision no. 401/Pid.B/2024/PN Bgl discusses a theft case that occurred in Bengkulu City. On Monday, July 8, 2024, at around 02.00 WIB, the defendant Oki Dwi Saputra alias Oki bin Nasrah committed theft at a house located on Jalan Beringin Rt.06 Rw.03, Padang Jati, Ratu Samban District, Bengkulu City. At that time, the victim was sleeping in his house. The defendant who was walking home passed the victim's house and saw the kitchen door open. Using this oportunity, the defendant entered the victim's house without permission and took two cellphones, namely one Vivo Y66 unit in rose gold and white and one Realme unit in gray. After successfully taking the two cellphones, the defendant immediately ran out of the house. The victim, who realized that his belongings had been taken, shouted "Thief", so the defendant was chased by the victim and local residents. The defendant's escape was stoped when he was successfully secured in front of the Sawah Lebar Sports Building by the victim and the community. As a result of the defendant's actions, the victim suffered material losses of around one million rupiah. For his actions, the defendant was charged with a single charge based on Article 363 paragraph (1) 3 of the Criminal Code concerning aggravated theft.*

Keywords: *Aggravation; Criminalization; Pancasila; Perpetrators.*

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1. Introduction

Law is a norm or rule that contains mandatory legislation and anyone who violates the article will receive legal sanctions. The legal subjects who are to be prosecuted are not only those who have actually committed unlawful acts, but also legal acts that may arise and equip the state to act in accordance with the laws currently in force.[1]The crime of theft itself is regulated in Article 362 of the Criminal Code and the crime of aggravated theft is regulated in Article 363 of the Criminal Code. The crime of theft is one of the types of crimes in Indonesia, this violation is regulated in Article 362 of the Criminal Code. There are many ways to classify the types of theft crimes, one of which is the crime of theft with its level adjusted according to Article 363 of the Criminal Code.[2] Crime is an offense, namely things that are contrary to or in conflict with the legal principles that are the beliefs of human life and are not bound by law.[3] Crimes that often occur in society lately include robbery, burglary, murder and rape. One type of crime that often occurs in society is theft.

The crime of theft is a crime that is officially stipulated as prohibited and punishable, in this case it is an act defined as "stealing". If translated from the word "zich toeeigenen" it is "to control", because after discussing the numbers, the reader will understand that "zich toeeigenen" has a very different meaning from the meaning of "owning" which is clearly widely used and widely known until now in the Criminal Code which has been translated into Indonesian in the article, even though it is true that the statute of "ownership" itself is also included in the meaning of "zich toeeigenen" as understood in Article 362 of the Criminal Code.[4] The crime of theft is regulated in Chapter 22 of Law Number 1 of 1946, Book 2 of the Criminal Code, Articles 362 to 367. Five types of theft are regulated, namely:

1. Ordinary theft (Article 362 of the Criminal Code);
2. Aggravated theft (Article 363 of the Criminal Code);
3. Petty theft (Article 364 of the Criminal Code);
4. Theft with violence (Article 365 of the Criminal Code);
5. Family Theft (Article 367 of the Criminal Code).

Initially it means moving something from its original place to another place. This means bringing the item under its real control. So that the item is in its control. The sentence of taking means that the item is not in the rightful owner. It starts from when someone tries to remove an object from the owner, then the act is completed when an object has moved from its original place. It can be concluded that taking is taking from the place where the object was originally located or taking an object from the control of another person.[5]

[1]Rosana, E., Law and Social Development, Tapis Journal: Journal of Islamic Political Aspiration Observation, 2013, p. 99-118.
[2]Rezna Fitriawan and R. Sugiharto, The Role of the Criminal Investigation Unit in Revealing Aggravated Theft in the Jurisdiction of the Demak Police Resort, Proceedings of the Unissula Student Scientific Constellation (Kimu) 5, 2021, p. 330
[3]Bawengan, GW, Examination Techniques and Criminal Cases, Pradnya Paramita, Jakarta, 1974, p. 22
[4]PAF Lamintag, Basics of Indonesian Criminal Law, PT. Citra Aditya Bakti, Bandung, 1997, p. 49.
[5]PAF Lamintang., Special Offenses, Crimes Against Property, First Edition, Bandung, Sinar Baru, 1989, p. 11.

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The following are some elements or characteristics of theft:

1. Objective: The condition that accompanies an object, where the object in question is wholly or partly owned by someone, there is an act of taking, there is an object in the form of an object.
2. Subjective: Against the law, there is a motive to possess, there is an intention.

Aggravated theft or also known as certain theft or qualification (gequalificeerd diefstal) is one of the most common theft crimes. The meaning of this type of certain theft or qualification is a theft that is carried out in a certain way or under certain circumstances, so that its nature is more severe and is threatened with a heavier penalty than ordinary theft.[6]The term used by R. Soesilo is "aggravated theft" in his book, the Criminal Code (KUHP), because from this term it can be said that due to its nature, the theft has an aggravated criminal threat and causes material losses felt by the victim.[7]

Research from the case study of decision no. 401/Pid.B/2024/PN Bgl discusses a theft case that occurred in Bengkulu City. On Monday, July 8, 2024, at around 02.00 WIB, the defendant Oki Dwi Saputra alias Oki bin Nasrah committed theft at a house located on Jalan Beringin Rt.06 Rw.03, Padang Jati, Ratu Samban District, Bengkulu City. At that time, the victim was sleeping in his house. The defendant who was walking home passed the victim's house and saw the kitchen door open. Using this oportunity, the defendant entered the victim's house without permission and took two cellphones, namely one Vivo Y66 unit in rose gold and white and one Realme unit in gray. After successfully taking the two cellphones, the defendant immediately ran out of the house. The victim, who realized that his belongings had been taken, shouted "Thief", so the defendant was chased by the victim and local residents. The defendant's escape was stoped when he was successfully secured in front of the Sawah Lebar Sports Building by the victim and the community. As a result of the defendant's actions, the victim suffered material losses of around one million rupiah. For his actions, the defendant was charged with a single charge based on Article 363 paragraph (1) 3 of the Criminal Code concerning aggravated theft.

2. Research Methods

The aproach method used in this study is the normative legal aproach. The normative legal aproach is a legal research conducted by examining library materials or secondary data as basic materials for research by conducting a search for regulations and literature related to the problems being studied.[8]

[6]Wirjono Prodjodikoro, Certain Criminal Acts in Indonesia, Bandung, Eresco, 1986, p. 19
[7]R. Soesilo, Criminal Code (KUHP), Bogor: Politeia, 1988, p. 248.
[8]Soerjono Soekanto & Sri Mamudji, Normative Legal Research (A Brief Review), Rajawali Pers, Depok, 2019, p. 13-14.

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3. Results and Discussion

3.1. Aplication of Criminal Sanctions for the Crime of Theft with Aggravation Based on Pancasila Justice Values in the Decision of Case Number 401/Pid.B/2024/PN Bgl.

1. Chronology of Decision in Case Number 401/Pid.B/2024/PN Bgl.
That the defendant Oki Dwi Saputra alias Oki Bin Nasrah (deceased) on Monday, July 8, 2024, at around 02.00 WIB or at least at another time in July 2024 or at least still in 2024 at Jalan Beringin Rt.06 Rw 03 Padang Jati, Ratu Samban District, Bengkulu City, or at least at another place that is still included in the jurisdiction of the Bengkulu District Court, which has the authority to examine and try this case, "Has taken something that is wholly or partly owned by another person, with the intention of possessing it unlawfully, which was done at night in a house or closed yard where there is a house, which was done by a person who was there unknown or not wanted by the rightful party." which the defendant did in the following manner:
It started with the defendant walking to go home to Jalan Kembang Manis I when he arrived in front of the victim's house, the defendant saw the victim's kitchen door open, then the defendant entered the victim's house, then the defendant saw someone sleeping, then the defendant saw 2 (two) cellphones without the victim's permission, the defendant took 1 (one) Vivo Y66 cellphone in rose gold and white with IMEI I: 357591069276076 and IMEI 2: 357591069231683, 1 (one) Realme brand cellphone in gray with IMEI I: 865462056583632 and IMEI 2: 865462056583624;
After the defendant successfully took 2 (two) cellphones belonging to the victim, the defendant ran out of the victim's house, then the defendant's actions were discovered by the victim, then the victim shouted "Thief-malik" then the defendant was chased by the victim and residents around the victim's house; That after being in front of the Sawah Lebar Sports Building, the defendant was successfully secured by the victim and the surrounding community; That the defendant's actions resulted in the victim suffering a loss of aproximately Rp. 1,000,000.- (one million rupiah);
The defendant's actions as regulated and threatened with criminal penalties in Article 363 Paragraph (1) 3 of the Criminal Code; Therefore, the defendant is sentenced to 2 (two) years and 6 (six) months in prison.[9]

2. Analysis of the Implementation of Criminal Sanctions from the Perspective of Pancasila Justice
The aplication of criminal sanctions against the defendant Oki Dwi Saputra alias Oki Bin Nasrah (deceased) in the case of aggravated theft as referred to in Article 363 paragraph (1) 3 of the Criminal Code should be analyzed from the perspective of the values of Pancasila justice, especially the Second and Fifth Principles. This analysis is important because the purpose of criminalization in the Indonesian legal system is not only repressive, but also contains moral, social and humanistic values that are rooted in the state ideology.
Article 363 paragraph (1) 3 of the Criminal Code regulates the punishment for theft committed "at night in a house or closed yard where there is a house, committed by a person

[9] Rezna Fitriawan and R. Sugiharto, The Role of the Criminal Investigation Unit in Revealing Aggravated Theft in the Jurisdiction of the Demak Police, Proceedings of the Unissula Student Scientific Constellation (Kimu) 5, 2021.

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who is there unknown or not wanted by the person entitled to be there." In this context, the defendant's actions fulfill the formal and material elements of the crime, considering that the defendant entered the house without permission, took goods (two mobile phones), and fled after committing the theft.

However, in terms of the Pancasila justice values, especially the Second Principle “Just and Civilized Humanity”, it is necessary to pay attention to whether the criminal sanctions imposed have considered humanitarian factors, the perpetrator’s social background, and the proportionality of the punishment to the consequences of his actions. Just and civilized humanitarian values require consideration of the perpetrator’s condition such as age, economy, education, and motivation for the action. In this case, there was no in-depth information found on whether the judge considered these factors substantively in his decision.

Furthermore, the Fifth Principle “Social Justice for All Indonesian People” emphasizes that punishment must produce a balance between the interests of society, victims, and defendants. In this case, even though the victim suffers a material loss of Rp1,000,000, the domino effect of imprisonment on the perpetrator, especially if he comes from an economically or socially vulnerable group, must be analyzed fairly. Punishment should not only aim to punish, but also to educate and rehabilitate, in accordance with the integralistic concept of justice in Pancasila, where justice does not stand alone for individuals or the state, but rather comprehensively for all parties.

Criminalization that does not consider the values of Pancasila justice has the potential to create inequality and does not address the root of social problems. If the defendant is a breadwinner, has family responsibilities, or commits a crime due to economic pressure, then an overly repressive aproach can be counterproductive. This is in line with Muladi's view (2002) which states that criminal law should function as an instrument of community protection as well as a tool for social development, not merely retribution.

Therefore, within the framework of Pancasila justice, the aplication of criminal sanctions in this case should ideally consider alternative mechanisms for resolving cases, such as restorative justice, if possible and suported by the fact that the losses have been compensated or the perpetrators have shown good faith. Although the Criminal Code has not explicitly regulated restorative justice for crimes like this, its spirit has been accommodated in internal law enforcement policies such as Perpol No. 8 of 2021.

Furthermore, the aplication of criminal sanctions should emphasize recovery, not just retaliation. In this context, the value of Pancasila justice can be an important parameter in evaluating whether criminal law has been implemented substantively and fairly.[10]

3. Elements of the Aplication of Criminal Sanctions

Every criminal sentence must be based on proof that the defendant's actions fulfill the elements of the crime stipulated in the law. Article 363 paragraph (1) 3 of the Criminal Code is a provision that regulates aggravated theft committed at night in a house or closed yard where there is a house, with the perpetrator entering without the knowledge or permission of the legitimate owner. In order to impose a sentence based on this article, the judge must

[10] Siregar, ARM, The Authority of the Constitutional Court in Testing Laws Against the 1945 Constitution, Responsive Law Journal, 2018

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prove that all elements in the article are legally and convincingly fulfilled. The author will systematically discuss the elements of Article 363 paragraph (1) 3 of the Criminal Code and how these elements are aplied in case Number 401/Pid.B/2024/PN Bgl, in order to ensure that the verdict imposed is in accordance with the principles of legality and the principles of criminal justice.

a. Elements of Article 363 paragraph (1) 3 of the Criminal Code

1. Act of taking goods: The defendant took two cellphones (Vivo and Realme brands) belonging to the victim unlawfully without permission. So this element is fulfilled.
2. The item belongs to someone else: The item taken was the victim's cellphone which was in his house. So this element is fulfilled.
3. The intention to possess the goods unlawfully: The defendant intended to possess the cellphone without the right or permission of the legal owner. So this element is fulfilled.
4. Done at night: The incident occurred at around 02.00 WIB (early morning). So this element is fulfilled.
5. Done in a house or closed yard where there is a house: The defendant entered the victim's house which was in a densely populated area. So this element is fulfilled.
6. Done by a person whose whereabouts are unknown or not desired by the entitled party: The defendant entered the house through the kitchen door without the permission of the homeowner, while the owner was sleeping. So this element is fulfilled.

Therefore, the aplication of Article 363 paragraph (1) 3 of the Criminal Code by the Panel of Judges against the defendant was in accordance with formal and material legal aspects.

b. Pancasila justice perspective,

This decision from the perspective of Pancasila justice, especially the Second and Fifth Principles, can be analyzed as follows:

1) Just and Civilized Humanity (Second Principle)

Justice in the context of this principle emphasizes humane treatment of the accused, including taking into account the social, economic background and motivation for the crime. In this case:

a) Defendant's Motivation: It is not explicitly explained in the verdict whether the theft was committed due to urgent need, economic pressure, or other motives that could be considered humanitarian.

b) Defendant's Attitude: It was not stated whether the defendant regretted his actions, admitted his guilt, or was cooperative during the trial.

2) Social Justice for All Indonesian People (Fifth Principle)

This principle requires that criminal sanctions not only enforce the law, but also bring benefits to the wider community, provide a balanced deterrent effect, and pay attention to the balance between:

a) Victim's interests (protection of property rights and sense of security),

b) Public interest (legal certainty and crime prevention), and

c) The interests of the perpetrator (rehabilitation and social reintegration).

From the perspective of Pancasila justice, especially regarding the aspects of humanity and social justice, there are still shortcomings, because:

1) There is no explicit information regarding the defendant's condition that could indicate the need for a more humane aproach to sentencing.
2) There is no visible restorative or coaching aproach, even though this is an important part of Pancasila-style social justice.[11]

4. Conformity of the Decision with the Purpose of Punishment and Criminal Law Theory
The decision of the Bengkulu District Court Number 401/Pid.B/2024/PN Bgl which sentenced the defendant Oki Dwi Saputra for committing aggravated theft, needs to be analyzed from the aspect of conformity with the theories of punishment that have developed in criminal law. There are several theories of punishment that can be used to evaluate the direction and essence of this decision, including:
a. First, if viewed from the absolute theory (retributive theory), punishment is seen as a form of retribution for the evil deeds that have been committed by the perpetrator. This theory emphasizes moral justice that requires the perpetrator to accept the consequences of his actions. In this case, the defendant was legally and convincingly proven to have committed aggravated theft according to Article 363 paragraph (1) 3 of the Criminal Code, so the criminal verdict imposed can be said to be in line with the principle of retributive justice, namely "jus talionis" or the law of retribution in proportion. This theory is rooted in the classical view, as expressed by Immanuel Kant, that "punishment must be imposed solely because a crime has occurred, not because it is to produce good" (Kant, in Hart, 2008)
b. Second, viewed from the relative theory (utilitarian theory), punishment is not only seen as a form of retribution, but also has a preventive purpose, both in general (general prevention) and specifically (special prevention). From the aspect of general prevention, punishment aims to provide a deterrent effect to the community so that they do not commit similar crimes. Meanwhile, from the aspect of special prevention, punishment aims to improve the perpetrator so that they do not repeat their actions. However, in the context of this case, the criminal decision does not provide sufficient information regarding the existence of a coaching or rehabilitation program given to the defendant. This has the potential to ignore the essence of the relative theory which emphasizes behavioral changes and social reintegration of the perpetrator.
c. Third, the combined (integrative) theory tries to combine the principle of retribution with preventive objectives. This theory developed in modern criminal law thinking that is more humanistic and responsive to the needs of society. Punishment must contain the values of justice, benefit, and legal certainty in a balanced manner. In this case, the judge imposed a prison sentence on the defendant without mentioning alternative aproaches such as conditional sentences, community service, or restorative justice. Therefore, it can be criticized that this decision tends to still be oriented towards a retributive aproach and has not fully met the values of the combined theory which is a global trend in criminal law reform.[12]

From the perspective of the purpose of punishment in the perspective of Pancasila, as stated by Barda Nawawi Arief (2010), punishment must reflect the values of humanity, social justice,

[11] Ferry Irawan Febriansyah, Justice Based on Pancasila as the Philosophical and Ideological Basis of the Nation, DiH Journal of Legal Studies, Volume 13 Number 25, February 2017.
[12] Rusmiati, Syahrizal, Mohd. Din, The Concept of Theft in the Criminal Code and Islamic Criminal Law, Syiah Kuala Law Journal, Vol. 1, No. 1 April 2017.

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and the balance between individual rights and the interests of society. In this case, the defendant stole two mobile phones with an estimated loss of only around Rp1,000,000, but was immediately sentenced to prison without considering the perpetrator's socio-economic conditions. This shows that the purpose of punishment as a means of development has not been fully implemented, and the value of substantive justice has not been optimally realized. In addition, Satjipto Rahardjo (2006) emphasized that the law should not be free from a sense of justice and must be able to touch the conscience of society. If a criminal decision actually results in new social inequality, then the relevance and usefulness of the decision should be questioned. In this case, the defendant who may have come from a vulnerable group actually became a victim of a criminal system that was too formalistic and retributive, so that the values of Pancasila justice were not fully reflected in the decision.

Thus, the decision Number 401/Pid.B/2024/PN Bgl, although legally valid, does not fully reflect the paradigm of modern humanistic, progressive, and social justice-based punishment. Therefore, reform in the aplication of punishment theory is urgently needed, so that the decision does not only impose punishment, but also provides recovery, guidance, and social reintegration in line with the principles of Pancasila.[13]

3.2. Judge's Considerations in Handing Down Criminal Verdicts Against Perpetrators of the Crime of Theft with Aggravation Based on Pancasila Justice Values in Decision on Case Number 401/Pid.B/2024/PN Bgl

Judges have a central role in ensuring that the decisions handed down not only meet the legal-formal aspects, but also reflect the values of substantive justice as mandated in Pancasila. In Decision Number 401/Pid.B/2024/PN Bgl, the Panel of Judges sentenced the defendant Oki Dwi Saputra alias Oki, who was legally and convincingly proven guilty of committing the crime of aggravated theft as regulated in Article 363 paragraph (1) 3 of the Criminal Code, to two years and six months in prison.[14]

Normatively, the judge's considerations in handing down a criminal verdict in this case seem to focus on fulfilling the elements of a crime, namely: the act of taking someone else's property unlawfully, carried out at night, and in a house or closed yard where the house is. These elements are clearly fulfilled based on the legal facts revealed in the trial, including the defendant's confession, evidence found, and statements from witnesses, victims and residents.

However, when analyzed from the perspective of the Pancasila justice values, especially the Second and Fifth Principles, it is aparent that the judge's considerations in this decision do not fully reflect the principles of substantive justice. The Second Principle, namely "Just and Civilized Humanity", mandates that every individual, including perpetrators of criminal acts, must be treated humanely. In this context, ideally the judge would consider the defendant's

[13] Tolib Effendi, Basics of Criminal Procedure Law: Development and Reform in Indonesia, Setara Press, Surabaya, 2014.
[14] Decision Number: 401/Pid.B/2024/PN Bgl

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social and economic background, the defendant's reasons or motives for committing theft, and whether the act was committed under duress or out of urgent need.[15]

In the a quo decision, there is no description that shows that the judge explicitly considered the defendant's personal condition in depth. For example, whether the defendant is an perpetrator who has never been convicted before, whether he has family responsibilities, or whether the defendant shows sincere remorse. In fact, this information is very relevant to forming a decision that is not only legally formal, but also substantively fair.

Meanwhile, the Fifth Principle, namely “Social Justice for All Indonesian People”, emphasizes the importance of balance between protection for victims and society, and rehabilitation oportunities for perpetrators. In this case, the defendant stole two mobile phones worth around Rp1,000,000. The material loss was relatively small, and there was no indication that the crime was carried out in an organized manner or accompanied by violence. Therefore, from a social justice perspective, a prison sentence of two years and six months needs to be reviewed to see whether it is proportional and provides room for the defendant to improve himself.[16]

The integrative and contextual theory of Pancasila justice requires that punishment not only be an instrument of retribution, but also as a means of social development and reintegration. According to Satjipto Rahardjo (2006, p. 68), the law should not only be a rigid instrument of power, but should be able to touch the values of humanity and justice in real life. Therefore, judges should consider alternative punishments such as conditional sentences, out-of-prison development, or social reintegration programs if possible.

Although the prison sentence was imposed in accordance with the provisions of the law, the absence of analysis of the defendant's social and moral values in the judge's considerations shows that the values of Pancasila justice have not been fully internalized. There was also no initiative to provide alternative punishment that is more oriented towards development, even though it is very much in accordance with the spirit of corrections in Indonesian criminal law.

This decision has indeed met the formal and material requirements according to the Criminal Code. However, from the perspective of Pancasila justice, this decision is still retributive and does not fully reflect the humanistic and social aproach idealized by the foundation of the Indonesian state. Therefore, in the future, the court should make the values of humanity and social justice an integral part of the decision-making process, including considering a restorative justice system or value-based punishment.[17]

It is concluded that the judge's considerations in Decision Number 401/Pid.B/2024/PN Bgl, although they have fulfilled the legal-formal aspects, have not optimally reflected criminalization based on the values of Pancasila justice. Strengthening the paradigm of just,

[15] Wirjono Prodjodikoro, Certain Criminal Acts in Indonesia, Bandung, Eresco, 1986
[16] Law Number 1 of 2023 concerning the Criminal Code
[17] Law Number 1 of 1946 concerning Criminal Law Regulations;

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humanistic, and contextual criminalization as referred to in Pancasila needs to continue to be pursued in the practice of Indonesian criminal justice.[18]

4. Conclusion

Aplication of Criminal Sanctions for the Crime of Theft with Aggravation Based on Pancasila Justice Values in the Decision of Case Number 401/Pid.B/2024/PN Bgl. The aplication of criminal sanctions against the defendant Oki Dwi Saputra in the case of aggravated theft has been carried out in accordance with the provisions of Article 363 paragraph (1) 3 of the Criminal Code, both in terms of formal and material juridical matters. All elements of the crime have been proven to be fulfilled, including the act of taking someone else's property unlawfully, carried out at night, in a closed house, and without permission from the rightful owner. The Panel of Judges sentenced him to 2 years and 6 months in prison, which reflects the existence of criminal elements in positive law. However, from the perspective of Pancasila justice, especially the Second Principle on Just and Civilized Humanity and the Fifth Principle on Social Justice for All Indonesian People, there are important aspects that have not been fully accommodated. The verdict does not provide an in-depth explanation of the defendant's social and economic background, does not reveal any humanitarian considerations, such as economic motives, family responsibilities, or a cooperative attitude in the legal process. In fact, Pancasila justice requires an aproach that is not only repressive, but also pays attention to aspects of guidance and humanity towards perpetrators of criminal acts. Judge's Considerations in Handing Down Criminal Verdicts Against Perpetrators of the Crime of Theft with Aggravation Based on Pancasila Justice Values in Decision on Case Number 401/Pid.B/2024/PN Bgl

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Law Number 1 of 1946 concerning Criminal Law Regulations;

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