

## **Analysis of Criminal Punishment of theft Criminal Perpetrators with Aggregating Sentence Based on Pancasila Justice Values (Study of Criminal Case Decision Number: 771/Pid.B/2024/Pn Plg)**

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**Abstract.** *Law enforcement against aggravated theft crimes does not only focus on legalistic aspects, but must also reflect the values of substantive justice as reflected in Pancasila. The punishment of perpetrators of aggravated theft crimes in Decision Number 771/Pid.B/2024/PN Plg is the focus of the study in this thesis, to assess the extent to which the decision has considered justice rooted in the values of Pancasila, especially the second and fifth principles which emphasize humanity and social justice. This study uses a normative legal approach with a descriptive analysis research type. Data were obtained through a literature study of laws and regulations, doctrines, and court decisions. Legal tracing was carried out by examining applicable legal norms, then analyzed descriptively to understand the application of material and formal criminal law in the case, and to examine how the values of Pancasila justice are actualized in the judge's decision. The results of the study indicate that the application of criminal sanctions in Decision Number 771/Pid.B/2024/PN Plg does not fully reflect the values of Pancasila justice because it is still predominantly oriented towards retributive justice. In addition, judges face obstacles in the form of limited normative guidelines in explicitly integrating Pancasila values into legal considerations. Therefore, a more inclusive sentencing paradigm is needed for the values of substantive justice so that criminal decisions not only provide a deterrent effect but also reflect a sense of social justice in society.*

**Keywords:** *Aggravated; Criminalization; Justice.*

## 1. Introduction

Every human being certainly has needs that must be met at all times to live and along with the changing times, human needs are also increasing. The income level of each person greatly affects their needs that must always be met. Of course, people with small incomes will also have difficulty supporting themselves, the needs of life that must always be met so that they force someone to look for work to meet their survival needs.

Such conditions can encourage some people to commit crimes, because crimes can arise from the nature of human evil. Deviant behavior or illegal behavior of society is caused by various factors including the negative impact of rapid development, globalization, progress in the field of communication and information, advances in science and technology and changes in the style and way of life of some people have brought fundamental changes in human life.<sup>1</sup>

The implementation of a country's government is not only explained in the 1945 Constitution of the Republic of Indonesia, but it is also explained that the State of Indonesia is a state based on law and not on simple power. Therefore, it can be understood that the state of Indonesia is a democratic state and upholds the law based on Pancasila and the 1945 Constitution.<sup>2</sup> Crime is a problem faced by society from time to time, even since the time of Adam and Eve, crime has been created, that is why crime is an issue that cannot be stopped from being discussed. This is why "where there are humans, there must be crime"; "Crime is eternal-as eternal as society".<sup>3</sup>

The daily life of society is regulated by laws, both codified and uncoded, within the framework of state institutions in modern times. The rule of law is a term often used to describe it.<sup>4</sup> The legal system of a country greatly influences the birth and development of law in that country, especially criminal law. Criminal law is one of the positive laws, especially serious criminal law which in this case is represented by the Criminal Code considering that the criminal law system is the legal system of choice in Indonesia, has not experienced significant changes since it was first implemented in Indonesia until now. In the general explanation of the Criminal Procedure Code, it is stated that it prioritizes human rights and ensures

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<sup>1</sup>Pratama, RH, Sulastri, S., & Darwis, R. S, Protection of children in conflict with the law, Proceedings of Research and Community Service, 2017, p. 2

<sup>2</sup>Siregar, ARM, The Authority of the Constitutional Court in Testing Laws Against the 1945 Constitution, Responsive Law Journal, 2018, p. 5.

<sup>3</sup>Yesmil Anwar, Criminology, Rafika Aditama. Bandung, 2010, p. 200.

<sup>4</sup>Donald Albert Rumokoy and Frans Maramis, Introduction to Legal Science, Rajagrafindo Persada, Jakarta, 2014, p. 16

that everyone is treated equally before the law and government, and everyone has an obligation to obey the law and government without exception.<sup>5</sup>

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.<sup>6</sup>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.

Although this has been clearly regulated in the Criminal Code and the sanctions that will be imposed on the perpetrators, this does not deter the Indonesian people and prevent them from committing crimes. The proof is that these crimes still occur frequently. Usually, whether reported to the police or not, theft crimes are still widely committed. This has not been fully revealed and not infrequently the perpetrators of this crime are not revealed.<sup>7</sup>

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.<sup>8</sup>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 toeëigenen" it is "to control", because after discussing the numbers, the reader will understand that "zich toeëigenen" 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 toeëigenen" as understood in Article 362 of the Criminal Code.<sup>9</sup>

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<sup>5</sup>Tolib Effendi, *Basics of Criminal Procedure Law: Development and Reform in Indonesia*, Setara Press, Surabaya, 2014, p. 2.

<sup>6</sup>Rosana, E., *Law and Social Development*, Tapis Journal: Journal of Islamic Political Aspiration Observation, 2013, pp. 99-118.

<sup>7</sup>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

<sup>8</sup>Bawengan, GW, *Examination Techniques and Criminal Cases*, Pradnya Paramita, Jakarta, 1974, p. 22

<sup>9</sup>PAF Lamintag, *Basics of Indonesian Criminal Law*, PT. Citra Aditya Bakti, Bandung, 1997, p. 49.

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.<sup>10</sup>

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.<sup>11</sup> 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.<sup>12</sup>

Research from case study of decision no. 771/Pid.B/2024/PN.Plg discusses a theft case that occurred in Palembang City, on Friday, May 3, 2024 at around 15.00 WIB or at least at another time in May 2024, or at least in 2024, at the victim's house on Jalan Pelita Komp.RSS A Block 42 No.05 Rt.082 Rw.031 Sako

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<sup>10</sup>PAF Lamintang., *Special Offenses, Crimes Against Property*, First Edition, Bandung, Sinar Baru, 1989, p. 11.

<sup>11</sup>Wirjono Prodjodikoro, *Certain Criminal Acts in Indonesia*, Bandung, Eresco, 1986, p. 19

<sup>12</sup>R. Soesilo, *Criminal Code (KUHP)*, Bogor: Politeia, 1988, p. 248.

Village, Sako District, Palembang City or at least in a place that is still included in the jurisdiction of the Palembang District Court which has the authority to examine and try this case, taking something that belongs to the victim witness SUKANDAR BIN CIK WAN (deceased) with the intention of being owned unlawfully, carried out by two or more people in collusion, theft to enter the place of committing the crime, or to get to the goods taken by damaging, cutting or climbing, or by using a fake key.

At the time and place above, starting earlier at around 11.00 WIB, defendant I RAHMAD RAMADON together with defendant II NOVANDRA ALFAREZA, defendant III WISNU DEWANGGA, and Mr. UCOK (not yet caught) entered the house of witness DICKY HERTANTO which was no longer occupied/empty to take the contents of the house in the form of 1 (one) plate rack, 1 (one) curtain pole and 3 (three) pans, then the items were cut into pieces by defendant I RAHMAD RAMADON together with defendant II NOVANDRA ALFAREZA, defendant III WISNU DEWANGGA, and Mr. UCOK (not yet caught) to be sold to a used goods collector, then after that at around 15.00 WIB defendant I RAHMAD RAMADON together with defendant II NOVANDRA ALFAREZA, defendant III WISNU DEWANGGA, and Mr. UCOK (not yet caught) re-entered the witness's house. DICKY HERTANTO and saw the house of the victim witness SUKANDAR which was behind the house of witness DICKY HERTANTO was empty, then knowing this, defendant III WISNU DEWANGGA opened the bedroom window by pulling it forcefully using both hands until it opened, then Mr. UCOK (not yet caught) entered the house belonging to the victim witness and managed to take 1 (one) cauldron, 1 (one) steamer, 1 (one) pan and 1 (one) strainer, while defendant II NOVANDRA ALFAREZA together with defendant I RAHMAT ROMADON waited outside the house to monitor the surrounding conditions so that the actions of Mr. UCOK (not yet caught) were not known by the local residents, then not long after the actions of the defendants were discovered when defendant II NOVANDRA ALFAREZA together with defendant III WISNU DEWANGGA returned to the house of witness DICKY HERTANTO, it turned out that they were caught by witness DICKY HERTANTO who was checking his house at that time so that the defendants were shouted at "Thief", then defendant I RAHMAD RAMADON together with Defendant II NOVANDRA ALFAREZA, Defendant III WISNU DEWANGGA, and Mr. UCOK (not yet caught) tried to escape, but Defendant II NOVANDRA ALFAREZA together with Defendant III WISNU DEWANGGA were successfully chased and secured by witness DICKY HERTANTO with residents, then Defendant I RAHMAD RAMADON was secured by witness the victim met on the side of the road, while Mr. UCOK (not yet caught) managed to escape. Furthermore, the defendants along with the evidence were handed over to the Sako Police, Palembang to be held accountable for their actions.

Based on the description above, the author was inspired to study and analyze more deeply and compile it in the form of a thesis entitled "Analysis of the

Punishment of Perpetrators of the Crime of Theft with Aggravation Based on Pancasila Justice Values (Study of Criminal Case Decision Number: 771/Pid.B/2024/PN Plg)."

## **2. Research Methods**

According to Soerjono Soekanto, research is a scientific activity related to analysis and construction carried out methodologically, systematically and consistently. Methodological means in accordance with a certain method or way, systematic is based on a system, while consistent means the absence of contradictory things in a certain framework.<sup>13</sup>

## **3. Results and Discussion**

### **3.1. Implementation of Criminal Sanctions Against Perpetrators of Criminal Acts of Theft with Aggravation in Decision of Case Number 771/Pid.B/2024/PN Plg**

Description of the Chronology of Case Decision Number 771/Pid.B/2024/PN Plg

This case began on Friday, May 3, 2024, at around 15.00 WIB, when the defendants—RAHMAD RAMADON bin WAWAN IRAWAN (Defendant I), NOVANDRA ALFAREZA bin MUSTOPA (Defendant II), and WISNU DEWANGGA bin JAILANI ALI (Defendant III)—along with a friend who has not been caught named UCOK, committed theft in the Sako Village area, Sako District, Palembang City.

Before the main incident, at around 11.00 WIB, the defendants first entered the empty house belonging to witness DICKY HERTANTO. There, they took a number of household items such as dish racks, curtain rods, and three pans. The items were cut up and sold to a scrap collector.

At around 15.00 WIB, they returned to the location and found the house of the victim SUKANDAR bin CIK WAN (deceased), which was also empty. The defendant WISNU DEWANGGA forced open the window, then UCOK entered the house and took a cauldron, a steamer, a pan, and a strainer. Meanwhile, Defendants I and II stood guard outside the house to monitor the situation.

However, their actions were discovered by witness DICKY HERTANTO when the defendants returned to their homes. The witness shouted at them as "thieves", so the defendants ran away. Defendants II and III were successfully caught by witnesses and local residents, while Defendant I was caught on the side of the road and UCOK managed to escape.

#### **1) Legal Facts**

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<sup>13</sup>Soerjono Soekanto, *Introduction to Legal Research*, Third Edition, Publisher of the University of Indonesia (UI Press), Jakarta, 2008, p. 42

Based on the results of the trial and the evidence presented, the panel of judges stated that the elements of the crime as regulated in Article 363 Paragraph (1) 4th and 5th of the Criminal Code had been fulfilled. The defendants were proven to have committed aggravated theft carried out together, entering the scene by breaking the window, and taking the victim's belongings with the intention of possessing them unlawfully.

The legal facts found include:

- a. The act was committed by two or more people in collaboration (Defendants I, II, III and UCOK).
- b. This is done by damaging/forcing entry, namely by forcing open the victim's house window.
- c. There is an intention to own goods illegally, as evidenced by the act of running away with the goods and selling them.
- d. Evidence in the form of cauldrons, pans and sieves were found and returned to the victim.
- e. The estimated loss to the victim was IDR 300,000.
- f. The role of each defendant is clearly depicted, both the direct perpetrators (UCOK and WISNU) and the situation supervisors (RAHMAD and NOVANDRA).

## 2) Implementation of Criminal Sanctions for the Crime of Theft with Weighting Based on Pancasila Justice Values

The application of criminal sanctions in this decision shows that the judge has considered proportionally between the actions committed by the defendants and the personal background of each perpetrator. The defendants were sentenced for actions that fulfill the elements of Article 363 Paragraph (1) 4 and 5 of the Criminal Code concerning aggravated theft, but still paying attention to the values of humanity and social justice as stated in the second and fifth principles of Pancasila.

Judges not only assess the legal aspects, but also accommodate the sociological conditions of the accused, such as:

- a. Never been convicted,
- b. Be frank and polite during the trial,
- c. Regretting his actions,
- d. Be the backbone of the family.



The value of Pancasila justice is reflected through these considerations, because criminal sanctions are not merely retaliatory, but also as a humane corrective and rehabilitative means. This is in accordance with the concept of justice in the second principle "Just and civilized humanity", and the fifth principle "Social justice for all Indonesian people". Judges avoid excessive punishment for perpetrators who are still young and have the potential to improve themselves in the future.

The application of criminal sanctions that take into account humanitarian and social aspects shows that criminal justice is not only oriented towards formal justice, but also towards substantive justice that prioritizes the common good. In this context, criminal punishment is not only a means of punishment, but also a medium of moral education for perpetrators to understand the impact of their actions on others. The judge in this decision has emphasized that justice is not only about imposing heavy sentences, but also balancing between protection for victims and opportunities for rehabilitation for perpetrators. In this case, criminal punishment is imposed as an effort to provide a proportional deterrent effect, without eliminating the perpetrator's hope of self-improvement.

This approach is in line with the objectives of law according to Gustav Radbruch, namely justice, benefit, and legal certainty, which in this case are harmonized with the noble values of Pancasila. The judge also showed sensitivity to the social reality of the defendants who act as the backbone of the family, which if severely punished could break the family's economic chain. Thus, the punishment in this case has been integrated with the values of Pancasila justice as the ideological and philosophical basis of the state. The moral values underlying the judge's considerations show the spirit of a more humanistic criminal law reform. This also reflects that the law is not rigid, but can be adjusted to the values of life in society. The application of sanctions like this should be a model in efforts to build a criminal justice system that not only punishes, but also heals.

This just punishment approach also reflects the restorative spirit that has begun to be applied in the Indonesian criminal law system. In this case, although the case of aggravated theft is included in the category of serious crimes, the judge still explores the humanitarian values inherent in the perpetrator as an individual who has the potential to change. The decision not to give the maximum sentence shows that the judge prioritizes the principle of proportionality, namely giving a sentence that is commensurate with the level of guilt and the condition of the defendant. This consideration is important to maintain a balance between the interests of the victim, society, and the perpetrator of the crime.

By returning the evidence to the victim, the court has also respected the victim's rights, without ignoring the protection of the defendant's rights. This is a concrete implementation of distributive and corrective justice as taught by Aristotle and contextualized in Pancasila. The sanctions imposed also provide a



moral message that although society demands punishment for perpetrators of crimes, the state still acts within the corridor of civilized justice. In the long term, this type of punishment model is expected to reduce the recidivism rate because the perpetrators are not alienated from society. Therefore, this decision reflects that the application of the law is not solely based on the text of the law, but also on the spirit of justice that lives in society. The application of criminal sanctions in this case deserves appreciation because it has succeeded in balancing the legal, moral, and social aspects harmoniously.

### **3.2. Obstacles for Judges in Handing Down Criminal Verdicts Against Perpetrators of Aggravated Theft in Case Number 771/Pid.B/2024/PN Plg**

Judges face several obstacles in issuing decisions based on Pancasila justice, including:

- 1) Conflict between the principle of legality and substantive justiceThe law requires the imposition of criminal sanctions because the elements of the crime have been fulfilled, but in the context of substantive justice, the value of the loss is very small (Rp300,000) and the defendant has good intentions. The judge is in a dilemma between implementing the legal text rigidly or expanding the meaning of justice that lives in society.
- 2) The absence of one of the perpetrators (Ucok) who has not been caughtThe presence of other perpetrators who fled caused the proof of the division of roles to be less than optimal. The judge must construct the involvement of each defendant from the available evidence.
- 3) Social pressure to impose harsh punishments on thieves, society often demands severe punishments as a deterrent, especially because theft is considered disturbing. However, the Pancasila justice approach prioritizes humanity and proportional justice.
- 4) Lack of alternative sanctions in the positive legal systemThe criminal justice system in Indonesia has not fully provided space for restorative justice and social justice-based sanction models in minor cases like this. Judges can only choose between imprisonment or release, without options such as social development, community service, or compensation.

These constraints illustrate the complexity faced by judges in formulating decisions that are not only legally valid, but also socially just. In facing conflicts between the principles of legality and substantive justice, judges are in a difficult position because the law demands legal certainty, while the sense of justice of society may demand the opposite. This shows the limitations of a positivistic approach that places too much emphasis on written rules, and provides little room for moral flexibility and social values.

Judges who try to apply justice based on Pancasila values must make a progressive and teleological interpretation of the law, which is not always easy to do because of the attachment to normative texts. In this case, the relatively small value of the loss and the good faith of the defendants should be the basis for easing the sanctions, but the principle of legality still demands punishment because the elements of the crime are complete. This dilemma shows how important it is to reform national criminal law so that it is more in line with the principles of justice that live in Indonesian society.

Meanwhile, the absence of other perpetrators who have not been caught, such as Ukok, makes the legal construction incomplete. Judges cannot obtain a comprehensive picture of the role of each perpetrator, which ultimately impacts the accuracy of the division of criminal responsibility. This requires judges to be more careful in assessing the individual roles of the accused based on indirect evidence such as witness statements and confessions. The absence of the main perpetrator also obscures the proportion of responsibility, thus risking sentencing that does not match the level of involvement of each.

On the other hand, pressure from society to impose severe punishments adds to the challenges. Society often views theft as a threat to social order, thus demanding a repressive approach. However, the Pancasila justice approach teaches that criminal sanctions must consider the elements of humanity and opportunities for rehabilitation. This social pressure often puts judges in a dilemma between meeting public expectations or maintaining the integrity of just legal values. In this context, judges are required to remain steadfast to the principle of judicial independence, without being influenced by mass opinion that is not necessarily rational and fair.

In addition, the limited alternative sanctions in the Indonesian legal system are also a significant structural obstacle. Current positive law does not provide enough space for the application of alternative sanctions such as social work, compensation, or community-based coaching. Judges are forced to choose between imprisonment or release, both of which have major social impacts. Imprisonment, especially for first-time offenders or offenders from weak economic backgrounds, has the potential to plunge them into a worse criminal environment.

In fact, in the spirit of Pancasila justice, the approach to sanctions should be corrective and constructive, not merely repressive. The application of non-imprisonment sanctions in minor cases like this can be a more just and civilized solution, in accordance with the mandate of the second and fifth principles. Unfortunately, the lack of adequate legal instruments for this limits the creativity of judges in implementing restorative justice. This condition shows the need for reform of the criminal justice system to be more responsive to the values of social justice.

The judge's efforts to continue to present substantive justice within a rigid positive legal framework are worthy of appreciation. Judges are at the forefront of bridging the gap between formal justice and social justice. In situations like this, the judge's decision is not only a legal product, but also an instrument of public education on how the law can and should be implemented humanely.

### **3.3. Application of Sanctions Against Perpetrators of Criminal Acts of Theft with Aggravation in Decision of Case Number 771/Pid.B/2024/PN Plg Based on Pancasila Justice**

The verdict in this case reflects the application of criminal sanctions that take into account the values of Pancasila justice proportionally. This is indicated by the existence of:

#### **1) Humanitarian considerations**

The defendants were not only sentenced because the elements of the crime were fulfilled, but also because of their remorse, decency, and social status as the backbone of the family. This is in line with the second principle and the value of human dignity.

#### **2) Criminal sanctions that take into account the principles of corrective justice**

The punishment was not imposed merely as a form of retribution, but as a form of legal education for the accused so that they do not repeat their actions in the future.

#### **3) Return of evidence to victims**

The requirement that stolen goods be returned to victims reflects the principle of restoration, as stated in the values of the fifth principle of Pancasila, namely realizing a balance between social rights and obligations.

#### **4) There is no repressive and discriminatory punishment**

Judges avoid excessive criminalization of poor people who steal for economic reasons, which is a real application of social justice or Pancasila-style social justice.

Thus, the sanctions imposed not only fulfill the sense of justice according to positive law, but also fulfill the sense of justice according to moral and social law that lives in Indonesian society. The application of sanctions in this case also shows a balance between the legal-formal aspect and the ethical dimension of law that is rooted in the nation's culture. The judge not only focuses on proving the elements of the crime normatively, but also explores the social context of the defendant which reflects the conditions of economic inequality. This decision is a concrete example of how the law can act as a tool for social transformation, not

just an instrument of control. Within the framework of Pancasila justice, the judge acts as a protector of human values, not just as an enforcer of the rules.

This decision also indicates that a legal approach can be combined with a sociological approach, without losing legal legitimacy. The judge dared to take a moderate position that avoided criminal extremism, in order to maintain a balance between public order and individual rehabilitation. This is important because the function of criminalization is not only to punish, but also to rebuild individuals into society. By considering the defendant's background as a whole, the judge gave the message that justice should not be blind to social reality.

This kind of approach is also a concrete manifestation of the ideals of a just state based on law as mandated in the Preamble to the 1945 Constitution. This decision can be used as jurisprudence to encourage other courts to apply Pancasila values operationally in criminal justice practices.

In addition, the judge in this decision explicitly considered the age and education level of the defendants as considerations in imposing sentences. This decision also shows that punishment does not always have to be maximum, but rather adjusted to the level of guilt and the role of each perpetrator in the crime. Criminal sanctions were imposed by considering the active and passive roles of the defendants in the theft, so that there is a fair differentiation of responsibility. The judge also considered that there was no physical violence or threats against the victim when the incident occurred, so this was a reason not to impose a heavy sentence. The judge's courage in revealing the defendant's socio-economic background as part of the legal considerations is a form of social sensitivity that is in line with the values of Pancasila. The emphasis on the defendants' intentions which were not purely evil, but rather due to economic coercion, is one of the bases for imposing rehabilitative sanctions. This decision also contains a moral message that justice is not only about formal legality, but also about empathy for the real conditions of society. In this context, the sanctions imposed become a means of broader social education, not just individual punishment. The application of sanctions in this case reflects a humanistic and inclusive legal approach, strengthening the role of judges as guardians of national morality. Therefore, this decision is worthy of being a model for the development of criminal law based on the noble values of Pancasila in the Indonesian criminal justice system.

#### **4. Conclusion**

Based on the analysis of the application of criminal sanctions in Decision Number 771/Pid.B/2024/PN Plg, it can be concluded that: The Implementation of Criminal Sanctions in Decision Number 771/Pid.B/2024/PN Plg is Already Based on Pancasila Justice Values, Criminal sanctions in the decision are applied by considering the values of Pancasila justice, namely justice that balances legal,

moral, and social interests. The judge considers aspects of social justice, humanity, and deliberation, so that sanctions are not only repressive but also restorative, in order to provide a deterrent effect as well as recovery for the perpetrator and victim. Obstacles for Judges in Handing Down Criminal Verdicts in Verdict Number 771/Pid.B/2024/PN Plg which is based on the values of Pancasila Justice.

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