

RINGKASAN

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**TINDAK PIDANA PERJUDIAN MESIN
PERMAINAN PERMAINAN TEMBAK IKAN
DALAM PERSPEKTIF HUKUM PIDANA DAN
HUKUM PIDANA ISLAM**
**(Zulfan, S.H., M.Hum. dan Hasan Basri S.H.,
M.H.)**

Perjudian yang menggunakan media mesin permainan tembak ikan berkembang ditengah masyarakat. Mesin permainan tersebut didalamnya terdapat unsur taruhan dan keuntungan berupa uang atau hadiah, sehingga menimbulkan pelanggaran hukum. Selain hukum pidana nasional, Indonesia juga tidak terlepas dari ajaran agama. Secara tegas agama sangat melarang perjudian karena dipandang merugikan diri sendiri maupun orang lain. Adapun permasalahan dalam penelitian ini membahas pengaturan hukum dan sanksi terhadap pelaku perjudian mesin permainan tembak ikan menurut hukum pidana dan hukum pidana Islam.

Penelitian ini bertujuan untuk mengetahui pengaturan dan sanksi tindak pidana perjudian mesin permainan tembak ikan menurut hukum pidana dan hukum pidana Islam. Penelitian ini menggunakan metode Yuridis Normatif yang merupakan penelitian hukum kepustakaan yang dilakukan dengan cara meneliti bahan-bahan pustaka atau data sekunder. Dengan menggunakan metode berpikir deduktif (cara berpikir dalam penarikan kesimpulan yang ditarik dari sesuatu yang sifatnya umum yang sudah dibuktikan bahwa dia benar dan kesimpulan itu ditujukan untuk sesuatu yang sifatnya khusus).

Hasil penelitian dan pembahasan dapat diambil kesimpulan bahwa pengaturan Tindak Pidana Perjudian Mesin Permainan Tembak Ikan dalam Hukum Pidana diatur dalam Undang-Undang Nomor 1 Tahun 2023 jo Undang-Undang Nomor 7 Tahun 1947 Tentang Penertiban Perjudian. Sedangkan dalam Hukum Islam Tindak Pidana Perjudian Mesin Permainan Tembak Ikan diatur melalui Al-Qur'an dan Hadist. Namun, jenis hukuman ditentukan dalam Ijtihad yang sanksinya tidak ditentukan secara pasti dalam Nash. Perbandingan Pidanaan Tindak Pidana Perjudian Mesin Permainan Tembak Ikan menurut Hukum Pidana dan Hukum Islam dapat disimpulkan bahwa Hukum Pidana untuk menentukan pidanaan tindak pidana perjudian mesin permainan tembak ikan dapat dijatuhkan hukuman penjara maksimal 9 Tahun penjara serta hukuman tambahan berupa membayar denda. Sedangkan Hukum Islam perbuatan perjudian permainan mesin tembak ikan dapat dijatuhkan hukuman cambuk, penjara atau denda, dan penyitaan harta.

Kesimpulan penelitian ini, perjudian mesin permainan tembak ikan dilarang baik menurut hukum pidana maupun hukum pidana Islam karena menimbulkan dampak negatif bagi masyarakat. Saran dalam penelitian ini, penegakan hukum harus lebih tegas dalam menindak praktik perjudian mesin permainan tembak ikan dan kesadaran masyarakat mencegah terjadinya praktik perjudian.

**Kata Kunci : Tindak Pidana, Perjudian Mesin Permainan Tembak Ikan,
Hukum Pidana, Hukum Islam.**

SUMMARY

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***CRIMINAL OFFENSE OF SLOT MACHINE
GAMBLING FISH SHOOTING GAME FROM THE
PERSPECTIVE OF CRIMINAL LAW
AND ISLAMIC CRIMINAL LAW***
(Zulfan, S.H., M. Hum and Hasan Basri S.H., M.H)

Gambling using fish shooting game machines has developed among the community. These game machines contain elements of betting and profit in the form of money or prizes, thus causing legal violations. In addition to national criminal law, Indonesia is also inseparable from religious teachings. Religion explicitly prohibits gambling because it is considered harmful to oneself and others. The problem in this study discusses the regulation of law and sanctions against perpetrators of fish shooting game machine gambling according to criminal law and Islamic criminal law.

This research aims to understand the regulation and sanctions for the criminal act of fish shooting game machines according to criminal law and Islamic criminal law. This study uses the Normative Juridical method, which is library legal research conducted by examining library materials or secondary data. It uses a deductive thinking method (a way of thinking in drawing conclusions that are derived from something general that has been proven to be true, and the conclusion is applied to something specific).

The research results and discussion lead to the conclusion that the regulation of criminal acts in Fish Shooting Game Machines gambling in Criminal Law is governed by Law Number 1 of 2023 in conjunction with Law Number 7 of 1947 on the Control of Gambling. Meanwhile, in Islamic Law, criminal acts of Fish Shooting Game Machines gambling are regulated through the Qur'an and Hadith, but the type of punishment is determined through Ijtihad, and the sanctions are not specified exactly in the texts. The comparison of sentencing for criminal acts of Fish Shooting Game Machines gambling according to Criminal Law and Islamic Law can be concluded that under Criminal Law, the punishment for such gambling can be imprisonment for up to 9 years and additional penalties in the form of fines. Meanwhile, under Islamic Law, the act of gambling with Fish Shooting Game Machines can be punished with whipping, imprisonment, or fines, and the seizure of property.

The conclusion of this research is that gambling on fish shooting game machines is prohibited both under criminal law and Islamic criminal law because it causes negative impacts on society. The suggestion in this research is that law enforcement must be stricter in taking action against the practice of gambling on fish shooting game machines and that public awareness should prevent the occurrence of gambling practices.

Keywords: Criminal Acts, Fish Shooting Game Gambling Machines, Criminal Law, Islamic Law.