

## RINGKASAN

**RAPIKAH HASANAH :PENJATUHAN VONIS NIHIL DALAM TINDAK  
227410101007 PIDANA KORUPSI (Studi Kasus Putusan No.  
49/Pid.sus-TPK/2021/PN Jkt.Pst)  
( Dr. Muhammad Nur, S.H.,M.H dan Dr. Yulia, S.H.,M.H )**

Vonis nihil merupakan penjatuhan pidana kepada seseorang yang telah di pidana maksimal yang kemudian harus bersidang kembali. Dasar hukum vonis nihil terdapat dalam pasal 67 KUHP yakni bahwa jika orang dijatuhi pidana mati atau pidana penjara seumur hidup disamping itu tidak boleh dijatuhkan pidana lain lagi kecuali pencabutan hak-hak tertentu, dan pengumuman putusan hakim. Penjatuhan vonis nihil dinilai bertentangan dengan keadilan masyarakat dan negara yang dirugikan oleh perbuatan terdakwa.

Penelitian ini bertujuan untuk menganalisis terkait penjatuhan vonis nihil dalam tindak pidana korupsi yakni dengan meneliti dasar-dasar pertimbangan hakim dalam menjatuhkan vonis nihil dalam tindak pidana korupsi dan menganalisis penjatuhan vonis nihil dalam tindak pidana korupsi ditinjau dari teori kemanfaatan hukum.

Metode dalam penelitian ini penulis menggunakan jenis penelian yuridis normatif, pendekatan penelitian pendekatan undang-undang (*statute approach*) dan pendekatan kasus (*Case Approach*), sifat penelitian preskriptif, sumber data berupa bahan primer, bahan sekunder, dan bahan tersier, teknik pengumpulan data studi pustaka (*library research*), analisis data, melalui 3 alur reduksi data, penyajian data dan penarik kesimpulan.

Hasil penelitian menunjukkan bahwa dasar pertimbangan hakim Pengadilan Negeri Jakarta Pusat menjatuhkan vonis nihil dalam tindak pidana korupsi pada perkara ini yakni pasal 67 KUHP yang menyebutkan apabila seseorang telah dipidan penjara seumur hidup atau pidana mati maka tidak boleh dijatuhkan pidana lain lagi kecuali pencabutan hak-hak tertentu, dan pengumuman putusan hakim. Penjatuhan vonis nihil dalam tindak pidana korupsi berdasarkan teori kemanfaatan hukum ialah membina diri terdakwa. Keadilan bagi masyarakat dan negara melalui pidana tambahan berupa pembayaran uang pengganti sebagai hukuman retributif bagi terpidana, yang mengakibatkan efek penjeraan dan pemiskinan sesuai dengan ketidakadilan yang diderita masyarakat dan negara. Saran melakukan sosialisasi terkait vonis nihil kepada masyarakat agar masyarakat tidak salah paham tentang penerapannya.

Kata kunci : Penjatuhan Vonis Nihil, Tindak Pidana Korupsi, Putusan Hakim

## **SUMMARY**

**RAPIKAH HASANAH** : **IMPOSITION OF ZERO VERDICT IN**  
**227410101007** **CORRUPTION (Case Study of DecisionNo.**  
**49/Pid.sus-TPK/2021/PN Jkt.Pst)**  
**( Dr. Muhammad Nur, S.H.,M.H dan Dr. Yulia, S.H.,M.H )**

*Zero verdict is the imposition of punishment on a person who has been sentenced to the maximum punishment and then must be retried. The legal basis for a nil sentence is contained in Article 67 of the Criminal Code, namely that if a person is sentenced to death or life imprisonment, in addition, no other punishment may be imposed except for the deprivation of certain rights, and the announcement of the judge's decision. The imposition of a nil sentence is considered contrary to the justice of the community and the state which is harmed by the defendant's actions.*

*This study aims to analyze the imposition of zero verdicts in corruption crimes by examining the reasons for judges' considerations in imposing zero verdicts in corruption crimes and analyzing the imposition of zero verdicts in corruption crimes in terms of the theory of legal expediency.*

*The method in this research the author uses the type of normative juridical research, statute approach and case approach, the nature of prescriptive research, data sources in the form of primary materials, secondary materials, and tertiary materials, data collection techniques library research, data analysis, through 3 streams of data reduction, data presentation and conclusion drawing.*

*The results showed that the basis for the consideration of the judges of the Central Jakarta District Court to impose a zero sentence in the crime of corruption in this case is Article 67 of the Criminal Code which states that if a person has been sentenced to life imprisonment or death penalty, no other punishment may be imposed except for the deprivation of certain rights, and the announcement of the judge's decision. The imposition of zero verdicts in corruption crimes based on the theory of legal expediency is to foster the defendant himself. Justice for society and the state through additional punishment in the form of payment of restitution as a retributive punishment for the convicted person, which results in deterrence and impoverishment effects in accordance with the injustice suffered by society and the state. The suggestion is to conduct socialization related to zero verdict to the public so that people do not misunderstand the application.*

*Keywords: Zero-Sentence Imposition, Corruption, Judge's Decision*