

CHAPTER V CLOSING

A. Conclusion

Based on the research and discussion that has been described by the researcher, regarding the decision to cancel the marriage Number: 5235/Pdt.G/2022/PA.Cbn, the following conclusions can be drawn:

1. In the case of annulment of marriage Number: 5235/Pdt.G/2022/PA.Cbn, the judge granted the request for annulment of the marriage based on Article 44 of Government Regulation Number 9 of 1975 and Article 72 paragraph (2) of the Compilation of Islamic Law (KHI). According to the researcher, the judge's consideration based on Article 44 of Government Regulation Number 9 of 1975 is not quite right because the marriage registrar at the Office of Religious Affairs (KUA) has based it on the Divorce Certificate given by the Defendant before the marriage. In addition, the judge can add the provisions of Article 3 of the Marriage Law jo. Article 40 Government Regulation Number 9 of 1975, Article 23 of the Marriage Law jo. Article 73 Compilation of Islamic Law (KHI), and Article 24 of the Marriage Law.
2. The legal consequences of canceling a marriage in the Cibinong Religious Court Decision Number 5235/Pdt.G/2022/PA.Cbn. is the termination of the legal relationship between the Plaintiff and the Defendant as husband and wife. The marriage between the Plaintiff and the Defendant is considered non-existent so that the status of the two will return to what it was before

the marriage. In this marriage, the Plaintiff and the Defendant did not have children, so they did not have legal consequences for the position of the children. The Plaintiff and the Defendant can act on joint property as long as there is consent from both. The plaintiff and the defendant are Muslim, so in accordance with the provisions of Islamic law that the assets of the husband and the assets of the wife are separated from one another, namely each other's innate assets or assets obtained after they are bound in a marriage relationship.

B. Suggestion

1. The judge should consider the law and make a decision more carefully and thoroughly on the facts found in the trial so as to provide justice to the parties.
2. For prospective husbands or prospective wives, they must be more careful in examining the status of each party before entering into marriage. In addition, marriage registrars must be more careful and thorough in checking the conditions for marriage, this is done to avoid the occurrence of marriages that do not meet the requirements and result in the annulment of the marriage.