

## CHAPTER V

### CLOSING

#### A. Conclusion

Based on the description in the discussion above, it can be concluded as follows:

1. The legal considerations of the judge in applying the elements of the crime of distributing rupiah bills that he knew were counterfeit rupiah bills in the Purwokerto District Court Decision Number 137/Pid.B/2023/PN Pwt, were in accordance with the elements of the crime charged, namely Article 36 Paragraph (3) of Law No. 7 of 2011 concerning Currency. The actions of the defendant were proven legally and convincingly to fulfill the elements of the article, namely: Elements of Every person; Elements who circulates and or spends rupiah bills that he knows are counterfeit rupiah bills as referred to in Article 26 Paragraph (3).
2. The basis of the judge's legal considerations in imposing criminal sanctions on the defendant who circulated counterfeit rupiah in Purwokerto District Court Decision Number 137/Pid.B/2023/PN Pwt, namely imprisonment of 1 (one) year and a fine of Rp 100,000,000.00 (one hundred million rupiah) is based on the following considerations: First, the judge used the theory of the legal evidence system in Article 36 Paragraph (3) of Law No. 7 of 2011, the defendant's actions had fulfilled the elements in the article. Second, the judge used the completeness of evidence in the form of testimony from witnesses,

expert testimony and testimony from the defendant. Third, consideration of the mitigating and aggravating circumstances of the defendant.

The imprisonment of 1 (one) year and a fine of Rp 100,000,000.00 (one hundred million rupiah) is too light when compared to the criminal punishment in Article 36 Paragraph (3) of Law No. 7 of 2011 with a maximum imprisonment of 15 (fifteen) years and a maximum fine of Rp 50,000,000,000.00 (fifty billion rupiah).

#### **B. Advice**

Based on the results of the discussion and conclusions, the author suggests:

The judge in imposing criminal sanctions in Case Number 137/Pid.B/2023/PN Pwt was too lenient compared to the threat/sanction of the criminal offense charged and the impact/effect of the crime of counterfeiting currency. Therefore, the judge should have imposed a heavier criminal sanction because:

1. Currency as one of the symbols of state sovereignty that must be respected and proud of by all Indonesian citizens and Currency is needed as a legal tender in national and international economic activities in order to realize social welfare for all Indonesian people.
2. In addition, crimes against currency, especially counterfeiting of money, are currently increasingly rampant on a large scale and are very troubling, especially in terms of the impact caused by counterfeiting crimes that can threaten monetary conditions and the national economic.