

## CHAPTER V

### CONCLUSION AND SUGGESTION

#### A. Conclusion

Based on the results of the research and discussion above, it can be concluded that:

1. The mechanism for implementing restorative justice in cases of persecution, based on Decision Number 122/Pid.B/2021/PN Pbg, shows that the Public Prosecutor made efforts to reconcile the Defendants with the victim, Febri, while considering the requirements set forth in Article 5 paragraph (1) and Article 5 paragraph (3) of the Regulation of the Attorney General of the Republic of Indonesia Number 15 of 2020 concerning Termination of Prosecution Based on Restorative Justice. This demonstrates that the conditions for the termination of prosecution based on restorative justice have been met.
2. The legal considerations of the judges in imposing a sentence on the perpetrator of the persecution in the Purbalingga District Court Decision Number 122/Pid.B/2021/PN Pbg were as follows: the absence of an agreement in the restorative justice efforts between the Defendants and the victim, as offered by the Public Prosecutor; the consideration of the evidence presented, including witness testimony, documents, and the Defendant's statement; the criminal charge filed by the Public Prosecutor under Article 351 paragraph (1) of the Penal Code, in line with the crime committed by the Defendant; and the consideration of

both aggravating and mitigating circumstances for the Defendant. Based on these factors, the Panel of Judges was convinced that Defendant I, Apri Setyo Kurniawan, was guilty of committing the criminal act of persecution, and sentenced him to imprisonment for 3 (three) months and 2 (two) days.

### **B. Suggestion**

The Purbalingga District Attorney's Office is expected to prioritize restorative justice efforts in cases that meet certain criteria, so that the goal of sentencing, namely the restoration of the victim to their original state and making punishment a last resort can be achieved.

