

**PENERAPAN *RESTORATIVE JUSTICE* SEBAGAI ALTERNATIF
PENYELESAIAN PERKARA PENIPUAN ATAU PENGGELAPAN
BERMOTIF SEGITIGA PADA TAHAP PENYIDIKAN
DI POLRESTA BANYUMAS**

Oleh:

Mufidatul ‘Uluqi Fatkhiyatur Ru’ya

E1A022071

ABSTRAK

Sistem pemidanaan di Indonesia yang berlandaskan paradigma retributif belum sepenuhnya mampu memenuhi kebutuhan keadilan substantif, khususnya dalam memulihkan kerugian materiil dan psikologis korban. Hal ini mendorong penerapan pendekatan alternatif, yakni *restorative justice*, yang menekankan pemulihan korban, tanggung jawab pelaku, dan perbaikan hubungan sosial. Penelitian ini bertujuan menganalisis penerapan *restorative justice* sebagai alternatif penyelesaian perkara penipuan dan penggelapan bermotif segitiga pada tahap penyidikan di Polresta Banyumas, serta faktor-faktor yang mendukung keberhasilannya. Metode yang digunakan adalah yuridis sosiologis dengan spesifikasi deskriptif analitis, melibatkan wawancara dengan penyidik dan studi pustaka. Hasil penelitian menunjukkan bahwa *restorative justice* diterapkan melalui tahapan sistematis, mulai dari penerimaan laporan, klarifikasi perkara, penilaian kelayakan, mediasi, hingga penerbitan penghentian penyidikan (SP3) setelah tercapai kesepakatan dan kepuasan korban. Keberhasilan penerapan metode ini didukung oleh sinergi faktor hukum, aparat, sarana, masyarakat, dan kebudayaan lokal, yang memungkinkan penyelesaian perkara lebih cepat, efisien, dan berkeadilan. Pendekatan ini tidak hanya menyelesaikan masalah secara formal, tetapi juga menyentuh akar permasalahan melalui dialog, keterlibatan aktif masyarakat, dan pemulihan kerugian korban, sehingga mampu mewujudkan keadilan substantif yang lebih responsif terhadap kebutuhan masyarakat.

Kata Kunci: *Restorative Justice*, Penipuan, Penggelapan.

***THE APPLICATION OF RESTORATIVE JUSTICE AS AN ALTERNATIVE
RESOLUTION FOR FRAUD OR EMBEZZLEMENT CASES INVOLVING
A TRIANGULAR MOTIVE DURING THE INVESTIGATION STAGE AT
THE BANYUMAS CITY POLICE STATION***

By:

Mufidatul 'Uluqi Fatkhiyatur Ru'ya

E1A022071

ABSTRACT

The retributive justice system in Indonesia has not been able to fully meet the needs of substantive justice, particularly in restoring the material and psychological losses of victims. This has led to the implementation of an alternative approach, namely restorative justice, which emphasizes victim recovery, perpetrator responsibility, and the restoration of social relationships. This study aims to analyze the application of restorative justice as an alternative to resolving cases of fraud and embezzlement involving a triangle motive at the investigation stage at the Banyumas Police Headquarters, as well as the factors that support its success. The method used is socio legal research with descriptive analytical specifications, involving interviews with investigators and literature studies. The results show that restorative justice is applied through systematic stages, starting from the receipt of reports, clarification of cases, assessment of eligibility, mediation, to the issuance of a termination of investigation (SP3) after an agreement and victim satisfaction have been reached. The success of this method is supported by the synergy of legal factors, officials, facilities, the community, and local culture, which enables faster, more efficient, and fairer case resolution. This approach not only resolves problems formally, but also addresses the root causes through dialogue, active community involvement, and compensation for victims, thereby achieving substantive justice that is more responsive to the needs of the community.

Keywords: Restorative Justice, Fraud, Embezzlement.