

**PENERAPAN *RESTORATIVE JUSTICE* DALAM PENANGANAN  
PERKARA PENGGELAPAN  
(Studi Kasus di Polresta Banyumas dan Kejaksaan Negeri Purwokerto)**

**Disusun Oleh:  
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**ABSTRAK**

*Restorative justice* merupakan pendekatan penyelesaian perkara pidana yang menekankan pemulihan kerugian korban, tanggung jawab pelaku, serta penyelesaian konflik secara dialogis di luar proses peradilan formal. Dalam praktik penegakan hukum di Indonesia, penerapan *restorative justice* telah diakomodasi melalui berbagai regulasi internal lembaga penegak hukum, khususnya Kepolisian dan Kejaksaan. Namun demikian, perbedaan pengaturan dan kewenangan antar lembaga berpotensi menimbulkan ketidaksinkronan dalam penerapannya. Penelitian ini bertujuan untuk menganalisis penerapan *restorative justice* dalam penanganan perkara penggelapan di Polresta Banyumas dan Kejaksaan Negeri Purwokerto serta mengidentifikasi hambatan-hambatan yang dihadapi dalam praktik. Metode penelitian yang digunakan adalah yuridis empiris dengan pendekatan deskriptif analitis, melalui studi kepustakaan dan wawancara dengan aparat penegak hukum terkait. Hasil penelitian menunjukkan bahwa penerapan *restorative justice* di tingkat Kepolisian dilakukan melalui mekanisme mediasi penal pada tahap penyidikan berdasarkan Peraturan Kepolisian Nomor 8 Tahun 2021, sedangkan di tingkat Kejaksaan melalui penghentian penuntutan berdasarkan Peraturan Jaksa Agung Nomor 15 Tahun 2020. Hambatan penerapan *restorative justice* dipengaruhi oleh faktor substansi hukum berupa perbedaan pengaturan, struktur hukum berupa koordinasi aparat penegak hukum, serta budaya hukum yang masih berorientasi pada pembedaan. Dengan demikian, hambatan penerapan *restorative justice* dalam perkara penggelapan tidak hanya bersumber dari aspek normatif dan praktik penegakan hukum.

***Kata kunci: Keadilan Restoratif; Kejaksaan; Kepolisian; Penggelapan; Sistem Peradilan Pidana.***

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**ABSTRACT**

*Restorative justice is an approach to resolving criminal cases that emphasizes restoring the victim's losses, the perpetrator's responsibility, and resolving conflicts through dialogue outside of the formal judicial process. In the practice of law enforcement in Indonesia, the application of restorative justice has been accommodated through various internal regulations of law enforcement agencies, particularly the police and the prosecutor's office. However, differences in regulations and authority between agencies have the potential to cause inconsistencies in its application. This study aims to analyze the application of restorative justice in handling embezzlement cases at the Banyumas Police Headquarters and the Purwokerto District Attorney's Office and to identify the obstacles encountered in practice. The research method used is empirical juridical with a descriptive analytical approach, through literature study and interviews with relevant law enforcement officials. The results of the study show that the application of restorative justice at the police level is carried out through a penal mediation mechanism at the investigation stage based on Police Regulation Number 8 of 2021, while at the prosecutor's office level it is carried out through the termination of prosecution based on Attorney General Regulation Number 15 of 2020. Barriers to the implementation of restorative justice are influenced by substantive legal factors such as differences in regulations, legal structures such as coordination between law enforcement agencies, and a legal culture that is still oriented towards punishment. Thus, barriers to the implementation of restorative justice in embezzlement cases do not only stem from normative aspects and law enforcement practices.*

**Keywords:** *Criminal Justice System; Embezzlement; Police; Prosecutor's Office; Restorative Justice.*