

Pasal 385 Kuhp

Dr. I Made Hendra Kusuma, S.H., Sp.N.

Pasal 385 KuHP:

Penegakan Hukum Pidana dalam Sengketa Penguasaan Tanah Dr. Yogie Fahrissal, SH., MM., MH., CLA., Judul Penegakan Hukum Pidana dalam Sengketa Penguasaan Tanah Penulis Dr Yogie Fahrissal SH MM MH CLA Ukuran 15 5 x 23 cm Tebal 288 Halaman Cover Soft Cover No ISBN 978 634 216 195 1 No E ISBN 978 634 216 196 8 PDF Terbitan Mei 2025

SINOPSIS Sengketa penguasaan tanah merupakan permasalahan hukum yang kompleks dan sering kali menimbulkan konflik berkepanjangan di masyarakat Buku Penegakan Hukum Pidana dalam Sengketa Penguasaan Tanah ini mengulas secara mendalam bagaimana hukum pidana diterapkan dalam menyelesaikan kasus kasus penguasaan tanah tanpa izin baik oleh individu maupun korporasi Buku ini membahas berbagai aspek penegakan hukum pidana mulai dari regulasi yang mengatur kepemilikan dan penguasaan tanah prosedur hukum dalam menyelesaikan sengketa hingga tantangan dalam implementasinya Buku ini memberikan wawasan mengenai bagaimana hukum pidana dapat menjadi instrumen efektif dalam mewujudkan keadilan di sektor pertanahan Selain itu buku ini juga mengeksplorasi berbagai perspektif termasuk peran aparat penegak hukum kelembagaan yang terlibat serta solusi alternatif yang dapat diterapkan dalam menyelesaikan sengketa tanah secara berkeadilan dan berkelanjutan

Sanksi Pemidanaan Dalam Konflik Pertanahan Prof. Dr. H. Hambali Thalib, S.H., M.H., 2012-01-01 Kebutuhan tanah yang memegang peranan penting baik dalam kehidupan manusia maupun dalam dinamika pembangunan membawa dampak positif dengan meningkatnya harga tanah serta dampak negatif dengan berkembangnya konflik pertanahan baik kualitas maupun kuantitas dengan berbagai macam modus operandi dan praktisi hukum para birokrat dan legislator serta masyarakat sebagai bahan informasi Buku persembahkan penerbit Prenadamedia Kencana

Nuansa Perdata Dalam Perkara Pidana M. Irsan Arief, S.H., M.H., 2023-03-03 Nuansa perdata sengketa hak perjanjian ingkar janji ganti rugi atau melanggar hukum onrechtmatige daad dalam penanganan perkara pidana menarik untuk dibahas dan dikaji mengingat beragam pendapat dan penafsiran terkait penyelesaian hukumnya baik dalam perspektif teori hukum pendapat pakar hukum pidana maupun yurisprudensi Penyidik Penuntut Umum dan Hakim berwenang menunda atau menangguhkan perkara pidana dengan pertimbangan adanya perselisihan prayudisial prejudicieel geschill Prinsip penerapannya menunggu putusan perkara perdata yang telah berkekuatan hukum tetap karena memiliki relevansi dan menentukan pembuktian perkara pidana Selanjutnya mengenai perbuatan tersangka terdakwa bukan merupakan suatu tindak pidana melainkan perbuatan yang termasuk domain hukum perdata fakta hukum ini menjadi alasan untuk penghentian penyidikan Pasal 109 ayat 2 KUHP penghentian penuntutan Pasal 140 ayat 2 huruf a KUHP dan apabila perkara tersebut sampai pada pemeriksaan di persidangan maka perkara diputus lepas dari segala tuntutan hukum Pasal 191 ayat 2 KUHP Esensi pelaksanaan wewenang atau penyelesaian perkara pidana tersebut memerlukan pemahaman terhadap anatomi perkara karakteristik dan domain hukum baik perdata maupun pidana dan memahami inti delik bestanddelen dari pasal yang disangkakan didakwakan serta pelaksanaan ketentuan acara pidana secara tepat Dimensi

perdata berikutnya tentang pemenuhan hak berupa gugatan ganti rugi sebagai akibat perbuatan tindak pidana yang diajukan oleh pihak yang dirugikan korban kepada Pelaku proses pemeriksaannya digabungkan dalam persidangan perkara pidana Pasal 98 sampai dengan Pasal 101 KUHAP Kemudian tata cara pengajuan dan pemberian ganti kerugian kepada tersangka terdakwa terpidana ahli warisnya sebagai akibat penanganan dan penyelesaian perkara pidana yang tidak sesuai dengan peraturan perundang undangan Pasal 95 dan Pasal 96 KUHAP Terakhir uraian mekanisme pengajuan dan pemberian restitusi atau kompensasi dalam perkara tindak pidana tertentu kepada korban atau keluarganya yang secara teknis diatur dalam Peraturan Mahkamah Agung Nomor 1 Tahun 2022

KEJAHATAN PERTANAHAN DALAM MENGHADAPI GURITA MAFIA TANAH Dalam Kasus Sengketa Konflik dan Perkara Pertanahan di Indonesia Ditinjau dari Pertanggungjawaban Pidana Dr. Indra Yudha Koswara, S.H., M.H., Dr. Imam Budi Santoso, S.H., M.H., 2023-12-02

Buku ini sangat menarik karena mengurai modus mafia tanah dalam merusak sistem pendaftaran tanah di Indonesia mereka sangat ahli dan menguasai pemetaan administrasi pertanahan sehingga bagi Masyarakat yang tidak hati hati akan menjadi korban saat tidak melakukan pengecekan dengan status tanah yang mereka beli bahkan yang memiliki sertifikatpun menjadi korban saat adanya pengandaan sertifikat bahkan penggantian nama dalam sertifikat Masyarakat dibuat geram dan marah bahkan sampai sakit saat kasus pertanahan di Indonesia sangat berlarut larut dan Panjang dalam menyelesaikan kasus tersebut sehingga menjadi sebuah objek Kejahatan yang perlu keseriusan dari pemerintah sampai harus membentuk Satgas MafiaTanah Kementerian Agraria dan Tata Ruang Badan Pertanahan Nasional ATR BPN bekerja sama dengan Kepolisian Republik Indonesia Polri membentuk Satuan Tugas Satgas Mafia Tanah untuk bersama sama mengurangi dan memberantas kejahatan tanah sampai ke akarnya

Asas tiada pidana tanpa kesalahan di Indonesia berangkat dari pemikiran Moeljatno mengenai tindak pidana strafbaar feit yang memisahkan antara pengertian perbuatan pidana dan pertanggungjawaban pidana yaitu pengertian perbuatan pidana tidak meliputi pertanggung jawaban pidana Pandangan ini dikenal sebagai pandangan dualistis mengenai perbuatan pidana Pandangan ini adalah penyimpangan dari pandangan monistis yang melihat keseluruhan syarat untuk adanya pidana itu kesemuanya merupakan sifat dari perbuatan Artinya tidak ada pemisahan antara perbuatan pidana dengan pertanggungjawaban pidana dan sejak pemikiran dualistis Moeljatno mengenai tindak pidana tersebutlah kajian mengenai kemampuan dan ketidakmampuan bertanggung jawab menjadi objek yang seksi untuk dibahas oleh pemikir hukum Indonesia

Pertanggungjawaban pidana merupakan suatu keadaan yang merujuk pada 3 tiga kemampuan yaitu 1 Kemampuan yang pertama ialah bahwa si pelaku menyadari perbuatan dan akibatnya 2 Kemampuan yang kedua ialah pelaku tersebut menyadari bahwa apa yang ia perbuat melanggar ketertiban umum dan 3 Kemampuan terakhir adalah ketika pelaku melakukan perbuatan tersebut ia berada dalam kebebasan kehendak Ketiga keterampilan ini bersifat kumulatif Artinya seseorang dianggap tidak bertanggung jawab jika hanya satu keterampilan yang bertanggung jawab tidak terpenuhi Jika seseorang melakukan tindak pidana orang tersebut dapat dikenakan pertanggungjawaban pidana dan pada akhirnya dapat

dipidana Dengan demikian para pelaku mafia tanah telah melakukan perbuatan yang memenuhi kriteria pertanggungjawaban pidana sehingga telah memenuhi rumusan delik dari Kejahatan Pertanahan dengan demikian dapat dimintai pertanggungjawaban pidana untuk dipidana berdasarkan perbuatan yang dilakukan pelaku tindak pidana pertanahan

Problematic Notaris Dalam Praktik Dr. I Made Hendra Kusuma, S.H., Sp.N., 2021-03-24 Ada 10 sepuluh makalah yang disajikan dalam buku ini 7 tujuh diantaranya mengulas tentang notaris dan kompleksitas permasalahan yang dihadapi dalam praktik sehari-hari Selain itu ada 2 dua makalah mengenai Majelis Kehormatan Notaris MKN yang merupakan lembaga baru bentukan pemerintah untuk melakukan pembinaan notaris dan memberi persetujuan penolakan atas permintaan pemanggilan notaris dan atau pengambilan fotokopi minuta akta notaris oleh penegak hukum penyidik penuntut umum hakim dalam suatu perkara pidana Sedangkan satu makalah terakhir adalah mengenai pungli penyuapan pemerasan dan gratifikasi Tulisan terakhir ini disajikan agar kiranya notaris maupun PPAT memperoleh sedikit gambaran tentang berbagai bentuk dari tindak pidana korupsi sehingga mampu menghindarkan diri dari praktik praktik yang mengarah kepada perbuatan perbuatan tersebut

MAFIA TANAH & PRIMUM REMEDIUM Dr. Gunanegara, SH, M.Hum, Mafia Tanah Primum Remedium by Dr Gunanegara SH M Hum is a thought provoking book that delves into the phenomenon of land mafia crimes and the gap between idealism and realism in land management Here are some key points from the book

Administrative vs Criminal Actions The book discusses how the issuance of land certificates is an administrative act that must comply with legal regulations If done correctly no one should face arrest investigation prosecution or criminal charges However if criminal actions are discovered later they fall under criminal law jurisdiction

Emergence of Land Mafia Crimes Despite clear guidelines since 2014 land mafia crimes emerged between 2020 and 2022 during land certification processes Notably some ATR BPN officials government officers and businesspeople were implicated This drew attention from top officials including President Joko Widodo who strongly condemned land mafias

Reality vs Idealism The book highlights the discrepancy between the ATR BPN's anti corruption image and the actual situation on the ground Instances of corrupt practices by officials led to arrests emphasizing the need for a pragmatic approach to land management

Perspectives The book analyzes land mafia crimes from legal intelligence criminology and psychoanalytic perspectives It proposes using the primum remedium principle to combat land mafias instead of the traditional ultimum remedium Overall the book sheds light on the complex landscape of land crimes and offers insights into addressing them effectively If you're interested in legal and criminological perspectives I recommend diving deeper into this thought provoking work

The substance of *MAFIA TANAH PRIMUM REMEDIUM* by Dr Gunanegara SH M Hum is indeed controversial The book sheds light on the pervasive issue of land mafia activities where powerful individuals or groups manipulate land transactions ownership and distribution for personal gain Here are some of the controversial aspects

Land Mafia Crimes The book exposes the criminal activities of land mafias including illegal land grabs fraudulent transactions and violence These actions often exploit vulnerable communities

and undermine legal land rights Corruption and Collusion Dr Gunanegara discusses instances where corrupt officials politicians and business interests collude with land mafias This collusion perpetuates land related crimes and prevents effective law enforcement Inefficiencies in Land Administration The book highlights administrative inefficiencies in land certification processes These gaps create opportunities for land mafias to operate leading to disputes and social unrest Primum Remedium Approach The concept of primum remedium preventive measures proposed by the author is controversial It challenges the reactive approach to combating land mafia crimes and emphasizes proactive prevention through legal reforms and community empowerment In summary the book sparks debate about the role of law enforcement corruption and the need for systemic changes in land governance Bing 27 07 2024 **KUHP & KUHP : dilengkapi yurisprudensi Mahkamah Agung dan Hoge Raad** SH. R. Soenarto Soerodibroto,1991 **Padjadjaran** ,1973 **Tindak-tindak pidana tertentu di dalam Kitab Undang-Undang Hukum Pidana** Muhamad Sudradjat Bassar,1984 *Tafsir K.U.H.P.* Dali Mutiara,1962 **Himpunan kaidah hukum putusan perkara dalam buku Yurisprudensi Mahkamah Agung RI tahun 1969-2004** ,2005 Digest of cases in Yurisprudensi Indonesia 1969 2004 **Tindak2 pidana tertentu di Indonesia** Wirjono Prodjodikoro,1968 **Laporan hasil pengkajian bidang hukum pidana, 1988/1989-1989/1990** Tim Pengkajian Bidang Hukum Pidana tahun,1991 **Pembentukan hukum melalui putusan pengadilan dalam perkara pidana** H. Pontang Moerad B. M.,2005 Further analysis on court decisions in Indonesian criminal courts **Laporan tahunan Indonesia.** Kejaksaan Tinggi Sumatera Barat,1986 Annual report of Kejaksaan Tinggi Sumatera Barat office of the chief public prosecutor of Sumatera Barat **Gatra** ,2005 **Bibliografi skripsi Universitas Pajajaran** ,1981 Panji masyarakat ,1997 Udin, darah wartawan Fuad Muhammad Syafruddin,1997 Collected articles on social issues in Special District of Yogyakarta by Fuad Muhammad Syafruddin an Indonesian journalist murdered in Yogyakarta **Warta ekonomi** ,1997

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web aussi appelé porcelet de lait le cochon de lait est un porcelet de moins de 20 kg nourri essentiellement au lait maternel de la truie cela en fait une viande fine raffinée et particulièrement goûteuse c est un met très apprécié lors des fêtes ou évènements de grande ampleur

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web cuisson couvrir les oreilles et la queue avec un peu d aluminium pour éviter qu elles ne brûlent en fin de cuisson badigeonner avec un pinceau d eau vin miel lard ou autre sauce pour éviter que la peau ne brûle ou n éclate attention le

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web sprinkle a few drops of the hot sauce into each hole in a small bowl combine the pimentón salt essence and cayenne sprinkle the seasoning blend evenly over all sides of the roast and rub into the meat place the roast in the crock of a 6 quart slow cooker fat side up and pour the stock around the roast

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web for the pig partially split the backbone of the rib cage from the body cavity side and spread the pig flat inject the pig with 8 cups of the marinade coat all surfaces with a good amount of the cajun seasoning mix allow the pig to marinate in a cooler or on ice at least overnight lay the pig flat out on a layer of wire mesh and attach the

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web ingredients deselect all 1 whole pig 30 to 50 pounds salt and cracked black pepper granulated garlic for seasoning plus 1 2 cup 2 cups melted butter 1 cup white wine 3 4 cup louisiana hot

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