



THE FINALITY OF ACQUITTAL IN INDONESIAN CRIMINAL PROCEDURE LAW

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Abstract

This study examines the finality of acquittal in Indonesian criminal procedure law following the enactment of the new Criminal Procedure Code (Kitab Undang-Undang Hukum Acara Pidana). An acquittal or *vrijspraak* is a verdict rendered when the public prosecutor fails to prove the defendant's guilt beyond a reasonable doubt. This study aims to analyze the regulation of acquittal, its implications for legal remedies, and the transitional provisions governing cases during the period of legal transition. Employing normative legal research methodology with statutory, conceptual, and comparative law approaches, this study finds that the new Criminal Procedure Code introduces a paradigm shift by placing acquittal as a final decision that cannot be challenged through appeal or cassation, as reflected in Article 244 paragraph (4) and Article 299 paragraph (2). This study recommends the necessity of normative reinforcement through the revision of Article 244 of the new Criminal Procedure Code by explicitly incorporating a clause prohibiting appeal, as well as the active role of the Supreme Court in establishing consistent and binding interpretations through Supreme Court Regulations or jurisprudence, in order to ensure legal certainty and the just protection of defendants' rights.

Keywords: finality of acquittal, legal remedies, transitional provisions, comparative law, human rights protection

Introduction

The criminal justice system is a fundamental instrument in a state of law that functions to uphold justice while protecting citizens' rights from the arbitrariness of state power. Compliance with applicable legal procedures is an absolute requirement for the law enforcement process to run fairly and accountably (Darmawan et al., 2024). In the framework of criminal law enforcement, the judge's verdict serves as a central point that determines the fate of the defendant while reflecting the quality of the judicial process that has taken place. The weight of this verdict is felt even more strongly in serious cases carrying heavy criminal penalties, because an error in judgment can be fatal for the defendant (Ferdinanta et al., 2024). The verdict handed down by the judge not only has juridical dimensions, but also touches upon broader humanitarian and social justice aspects. Regulations concerning the types of verdicts and their inherent legal consequences are an important focus in criminal procedural law (Sari et al., 2025).

Among the various types of verdicts known in criminal procedural law, an acquittal verdict or *vrijspraak* occupies a special position because it concerns the release of the defendant from all legal charges based on the public prosecutor's inability to prove the defendant's guilt legally and convincingly. This verdict arises from the failure of the evidentiary process required by law, so the judge does not obtain the conviction that the defendant has committed the criminal offense as charged. Careful evidentiary processes demand integrity and professionalism from law enforcement officials, as negligence at this stage has the potential to produce injustice for the party on trial (Hartika et al., 2023). The character of such an acquittal verdict gives it different legal consequences compared to sentencing verdicts or discharge verdicts from all legal charges (Lase & Lase, 2025).

The fundamental difference between an acquittal verdict and a discharge verdict lies in the basis of the judge's considerations in rendering the verdict. An acquittal verdict is based on the unproven elements of the charged criminal offense, whereas a discharge verdict is handed down because the proven act does not constitute a criminal offense or there are criminal-eliminating grounds. This difference has implications for the legal treatment of both types of verdicts, including in terms of the opportunity for the public prosecutor to file legal

remedies. The role of law enforcement officials, including public prosecutors and legal counsels, is highly decisive in ensuring that every legal remedy filed remains within the corridor of protecting the defendant's rights (Jayadi et al., 2025). In judicial practice, this difference is often a source of debate and legal uncertainty (Dewi & Dewi, 2025).

The debate regarding legal remedies against acquittal verdicts has been ongoing in the development of criminal procedural law in Indonesia. The dynamics of such legal thought need to be reviewed critically so that every shift in interpretation can be academically justified (Lukmantara et al., 2022). In its course, judicial practice recognizes the distinction between acquittal verdicts based on unproven criminal elements and acquittal verdicts handed down due to misinterpretations of the law or overreach of authority by judges. This distinction then triggers debates on whether subsequent legal remedies are still permissible against acquittal verdicts. Judicial developments in responding to this issue indicate that the issue of legal remedies against acquittal verdicts is a dynamic problem requiring clear and firm regulations in positive law. The capacity of the judicial system to adapt to these developments also depends on the adaptive legal learning process among law enforcement officials (Kurniawan & Darmawan, 2021).

Fundamental changes in the currently applicable criminal procedural law have significantly altered the paradigm of regulations concerning acquittal verdicts. Based on the new provisions, an acquittal verdict is positioned as a verdict that is final and immutable through appeal or cassation legal remedy mechanisms. This principle of finality essentially stems from the spirit of justice oriented towards prompt and proportional case resolution, as reflected in the restorative justice approach (Rianto et al., 2023). This regulation is reflected in the obligation to release the defendant immediately after the verdict is pronounced and the absence of any provision allowing legal remedies against acquittal verdicts. In addition, other provisions strictly close off the opportunity to file cassation against acquittal verdicts, thereby strengthening the finality construction of such verdicts.

This paradigm shift in the new criminal procedural law gives rise to juridical consequences that need to be examined carefully, especially regarding the application of transitional provisions for cases examined before the new provisions come into force. The application of the principle

of good faith in implementing transitional provisions becomes important to avoid interpretations that disadvantage either party in the judicial process (Irfansyah et al., 2024). In the transitional provisions, cases that have been submitted to the court and begun examination continue to be examined, tried, and decided based on the old provisions. However, these provisions limit the applicability of the old provisions only up to the stage where the verdict is rendered, so subsequent processes such as appeal and cassation are subject to the new provisions regime. The interpretation of these transitional provisions becomes crucial in determining whether legal remedies against acquittal verdicts can still be pursued in certain cases.

This study aims to analyze the typology of verdicts in the criminal justice system with a focus on the characteristics of acquittal verdicts (*putusan bebas*) as well as their implications for legal remedies that can be pursued by public prosecutors. This research also aims to examine the regulation of acquittal verdicts in the prevailing criminal procedural law provisions and to analyze transitional provisions governing the applicability of new provisions to ongoing cases. Furthermore, this study aims to provide normative recommendations in order to reorganize the regulation of acquittal verdicts so as to create legal certainty and consistency in criminal judicial practice.

Method

This study uses a normative legal research method with a statutory approach, a conceptual approach, and a comparative legal approach. The statutory approach is carried out by examining provisions in the new Criminal Procedure Code, the old Criminal Procedure Code, and other related laws and regulations. The conceptual approach is used to analyze legal concepts related to acquittal verdicts, legal remedies, and principles in criminal procedural law, while the comparative legal approach is applied by examining the regulation of acquittal verdicts in several countries such as the Netherlands, the United States, Germany, the United Kingdom, and France to obtain a comprehensive understanding of best practices in regulating the finality of acquittal verdicts.

The legal materials used in this research consist of primary legal materials covering laws and regulations in the field of criminal procedural law, secondary legal materials in the form of literature, journal articles, and

relevant legal doctrines, as well as tertiary legal materials such as legal dictionaries and encyclopedias. Data collection techniques were carried out through literature studies by inventorying, classifying, and analyzing legal materials systematically (Barhamudin, 2024). Data analysis was conducted qualitatively using grammatical interpretation, systematic interpretation, and historical interpretation methods to capture the meaning and purpose of the regulation of acquittal verdicts in the new Criminal Procedure Code, as well as to formulate comprehensive legal arguments regarding the finality of acquittal verdicts and their implications for the criminal justice system.

Result and Discussion

Classification of Judges' Verdicts in Criminal Cases and the Essence of Acquittal Verdicts as an Instrument for Protecting Defendant Rights

A judge's verdict is the final product of a series of examinations and deliberations that rely on the indictment letter as well as the legal facts revealed at trial (Ursu, 2024). The quality of such examination and deliberation processes is also determined by the institutional capacity of the judiciary, just as human resource management innovation has been proven to play a role in enhancing an organization's competitiveness (Abdullah et al., 2021). In criminal judicial practice, verdicts handed down by judges generally consist of sentencing verdicts, discharge verdicts from all legal charges known as *ontslag van alle rechtsvervolging*, and acquittal verdicts known as *vrijspraak*. These three types of verdicts produce different implications for the defendant's rights and the state's authority to prosecute. The fundamental difference among the three lies in the basis of the judge's considerations in evaluating the results of the evidentiary process that has taken place throughout the trial.

A sentencing verdict is rendered if the judge assesses that the defendant is proven legally and convincingly to have committed the criminal offense as charged in the indictment. This verdict affirms that all elements of the criminal offense have been fulfilled and the defendant can be held criminally responsible for their actions (Marian, 2024). The judge's considerations in evaluating these elements cannot be separated from personal factors, because individual character also influences the quality of a person's performance in carrying out their duties (Darmawan, 2017). The

imposition of punishment subsequently depends on the judge's considerations regarding the degree of the defendant's culpability, aggravating and mitigating circumstances, and the objective of sentencing to be achieved. Thus, a sentencing verdict constitutes the state's form of response to the proven commission of a criminal offense by an individual.

A discharge verdict from all legal charges is rendered if the act charged is proven to have been committed by the defendant, but the act cannot be punished because it does not constitute a criminal offense or there are grounds for the elimination of punishment. Such an approach actually opens up space for the resolution of criminal cases through methods that prioritize restoration over retribution, much like the restorative justice ideas beginning to develop within the Indonesian criminal justice system (Wijaya et al., 2022). In such circumstances, the court still acknowledges the occurrence of the act as charged, but the law does not justify the imposition of a penalty upon the defendant. This means that factually the act was committed by the defendant, but normatively the act does not fulfill the elements of a punishable criminal offense. Consequently, the defendant is discharged from all legal charges without having to undergo punishment (Hasibuan et al., 2024).

An acquittal verdict states that the defendant's guilt for the charged act is not proven legally and convincingly at trial. This verdict arises when the public prosecutor fails to prove the elements of the criminal offense through legitimate evidence, so the judge does not obtain the conviction regarding the defendant's guilt. The principle of protection towards parties facing the law like this is also apparent in the handling of criminal cases involving vulnerable groups, where principles of protection and social recovery become primary considerations for judges in making decisions (Al Haibah et al., 2024). The consequence of this verdict is that the defendant must be released immediately starting from the moment the verdict is pronounced. Unlike a discharge verdict which acknowledges the existence of the act, an acquittal verdict states that the act itself is not proven to have been committed by the defendant based on the evidentiary standards stipulated by criminal procedural law (Muthahhar & Rosnawati, 2024).

The essence of an acquittal verdict lies in its function as a limitation against potential arbitrariness in the prosecution process. When evidence is insufficient, witness testimonies contradict each other, or the elements

of a criminal offense are not fulfilled, a judge cannot impose a penalty solely to satisfy the demands for punishment from the public prosecutor. Such a corrective function fundamentally reflects the effectiveness of the judicial institution itself, because a system capable of correcting errors in its process demonstrates a good level of reliability (Darmawan, 2024). An acquittal verdict serves as a corrective instrument ensuring that punishment is carried out on the basis of strict evidentiary standards and rational judicial conviction. The state cannot impose a punishment when doubts still persist regarding the defendant's guilt, making acquittal a constitutional response to evidentiary failure (Dewi & Dewi, 2025).

The concept of an acquittal verdict is also found in legal systems across various countries with diverse terminology. In the Netherlands, the term used is *vrijspraak*, which is the release of the defendant because the charges are unproven. In England and the United States, the concept is known as an acquittal, namely a declaration of not guilty when the public prosecutor fails to prove the defendant's guilt beyond a reasonable doubt. In Germany, the term *Freispruch* is used, while in France the terms *acquittement* or *relaxe* are used. Such diversity in terminology shows that a society's legal consciousness and social norms help shape the perspective toward the release of a defendant, even though the philosophical foundation remains the same (Da Silva & Khayru, 2025). These terminological differences do not alter the universal substance that a person must not be punished before their guilt is proven through a fair judicial process that meets the prescribed evidentiary standards.

The character of an acquittal verdict has fundamental implications in criminal procedural law because it concerns the state's failure to prove its charges against the defendant. The court declares that the elements of the criminal offense are not proven legally and convincingly, or the evidence presented by the public prosecutor fails to foster the judge's conviction regarding the defendant's guilt. The certainty of legal norms is an important requirement for law enforcement to gain legitimacy in the eyes of the public, because unclear rules actually have the potential to weaken the authority of court decisions (Wibisono et al., 2023). In the tradition of legal systems rooted in Roman-Dutch law, the principle of *in dubio pro reo* serves as a constitutive foundation affirming that whenever doubt exists, the benefit of the doubt is given to the defendant. This

principle reinforces the final character of an acquittal verdict, which subsequently becomes the central point of debate regarding the permissibility of legal remedies against.

Acquittal Verdicts as an Instrument for the Protection of Human Rights and Legal Finality in the Criminal Justice System

An acquittal verdict functions as an instrument for protecting human rights and limiting state power within the criminal justice process. In the structure of the criminal justice system, the defendant is in a position that is structurally weaker compared to the state, which possesses law enforcement personnel, coercive instruments, and much greater resources. This kind of positional inequality is also apparent in other vulnerable groups facing the legal system, making the strengthening of oversight mechanisms and service improvements important to ensure their rights remain guaranteed (Pamungkas et al., 2025). The criminal justice system must provide maximum protection to prevent the occurrence of wrongful punishment against individuals who are actually innocent. An acquittal verdict serves as an important mechanism to ensure that punishment is imposed on the basis of adequate evidentiary standards and the judge's conviction grounded on the legal facts revealed at trial (Hasibuan et al., 2024).

An acquittal verdict is closely related to the principle of legal finality through the principle of *ne bis in idem* or the prohibition of double jeopardy. This principle asserts that the state must not be granted unlimited opportunities to continuously attempt to punish an individual for the same act. This limitation of state power essentially reflects a shift in governance towards a more decentralized model that does not rely on the single control of a single party, as seen similarly in the concept of a social order based on decentralized mechanisms (Darmawan & da Silva, 2025). Once an acquittal verdict has been rendered following a full and fair examination process, the state's right to prosecute in principle lapses for the sake of legal certainty and the protection of the defendant's rights. This principle serves as a fundamental foundation that limits state power and prevents the occurrence of repeated prosecutions that could harm individual rights (Than & Shorts, 2000).

An acquittal verdict in the new Criminal Procedure Code is placed within a strict and systematic normative framework. The regulations in the

new Criminal Procedure Code do not merely regulate the execution procedure of verdicts, but rather determine a clear boundary between the termination of the state's authority to prosecute and the restoration of the defendant's right to freedom. The clarity of such norms is important to be enforced consistently across various types of criminal offenses, including cases specifically regulated such as narcotics abuse, so that law enforcement does not give rise to multiple interpretations (Prabowo et al., 2024). In criminal procedural law, this regulation is closely related to the presumption of innocence principle and the principle of limiting the state's repressive powers. An acquittal verdict must be understood as the endpoint of an evidentiary process that fails to reach the standard of proof of criminal guilt required by law.

Grammatically, Article 244 paragraph (4) of the new Criminal Procedure Code provides an order for the immediate release of the defendant as soon as the verdict is pronounced. The phrase immediately (*segera*) used in the provision conveys a meaning that rejects any procedural delay in any form, including the possibility of legal remedies that delay the execution of the release. Such procedural certainty is in line with the importance of public understanding of their rights in the judicial process, because procedural justice only has meaning if the public understands and can truly access those rights (Prasetyo et al., 2024). Thus, an acquittal verdict is designed from the outset as a verdict that produces instant legal consequences and cannot be made contingent upon the possibility of subsequent legal remedies. This immediate release order demonstrates that the legislature intends for an acquittal verdict to be executed promptly without delays resulting from legal remedy processes.

Systematically, Article 244 paragraph (4) and paragraph (5) of the new Criminal Procedure Code show a clear distinction between an acquittal verdict and a discharge verdict from all legal charges. The legislature explicitly opens up the possibility of appeal against a discharge verdict, but provides no such arrangement for an acquittal verdict. Arguments attempting to open up appeal spaces against an acquittal verdict through an a contrario interpretation lack adequate methodological grounds. Such errors in legal interpretation actually stem from a weak understanding among the public and officials regarding the limits of applicable norms, as also seen in the issue of public attitudes

toward legal violations in other fields (Purwanto et al., 2025). The *contrario* interpretation method can essentially be used when the norms being compared belong to the same normative genus. An acquittal verdict relates to the failure to prove the defendant's guilt, whereas a discharge verdict relates to the absence of grounds for punishment even though the charged act is proven to have been committed. These differences are fundamental and place the two in different normative categories.

The provisions concerning an acquittal verdict are further strengthened when Article 244 is read systematically alongside Article 299 paragraph (2) of the new Criminal Procedure Code, which explicitly closes off the possibility of filing cassation against an acquittal verdict without exception. In the construction of criminal procedural law, cassation is a legal remedy whose scope is more limited than appeal. Weaknesses in evidentiary processes or inaccurate record-keeping are frequently sources of protracted legal disputes, as seen in evidentiary issues within land disputes arising from weak evidence and registration obstacles (Sulani et al., 2025). If filing cassation has already been absolutely closed off, opening the possibility of appeal against an acquittal verdict would create a logical contradiction within the criminal procedural law system. This indicates that the legislature consistently intends for the finality of acquittal verdicts at the first-instance court level.

Historically, the deliberation of the new Criminal Procedure Code indicates the legislature's intent to close off all legal remedies against acquittal verdicts. The omission of provisions regarding legal remedies for acquittal verdicts cannot be understood as a legislative vacuum or error, but rather as a deliberate normative choice by the legislature. With this construction, an acquittal verdict is positioned as a verdict that possesses a final character and can no longer be contested through appeal or cassation legal remedy mechanisms. An acquittal verdict in the new Criminal Procedure Code must be understood as a form of individual protection against repetitive and repressive prosecution by the state.

Paradigm Shift and the Application of Transitional Provisions

The paradigm shift in the new Criminal Procedure Code marks the end of the previous practice formed through Supreme Court decisions that introduced a distinction between pure acquittals and impure acquittals. A

pure acquittal is understood as an acquittal because the charged act is not proven legally and convincingly, whereas an impure acquittal is understood as an acquittal handed down due to a misinterpretation of the law or a judge exceeding the limits of their authority. This distinction is a product of judicial legal development to answer the needs of judicial practice, even though it was never explicitly regulated in legislation. The development of such judicial interpretation commonly occurs when written norms are yet unable to reach the complexity of cases in the field, as also seen in the criminal law enforcement against human trafficking crimes which frequently require an interpretive approach from a criminological perspective (Lukmantara et al., 2022). From the perspective of legal systems theory, this distinction reflects an effort to accommodate the demands of substantive justice amidst the limitations of positive norms (Amaris & Haryanto, 2025). The Constitutional Court subsequently opened up the possibility of filing cassation against acquittal verdicts under the old Criminal Procedure Code regime, thereby creating an exception to the principle of finality of acquittal verdicts traditionally adhered to in criminal procedural law systems rooted in the Romano-Dutch tradition.

With the entry into force of the new Criminal Procedure Code as the new rule, the conceptual framework regarding pure and impure acquittals, including the judicial interpretation from the Constitutional Court, essentially loses its relevance. The legislature has established a new arrangement that reaffirms the final nature of acquittal verdicts by closing off all avenues for legal remedies against them. Such legal certainty also becomes an urgent need in the enforcement of special criminal law, for instance in handling carding and phishing crimes that demand norm clarity so that their enforcement process does not give rise to multiple interpretations (Darmawan et al., 2025). Within this framework, neither appeal nor cassation against acquittal verdicts is possible anymore. This change demonstrates that the new Criminal Procedure Code brings a fundamental change in the regulation of acquittal verdicts that differs significantly from the previous regime which still opened up opportunities for legal remedies under certain conditions (Zai, 2024). Doctrinally, this normative choice reflects a shift in orientation from an approach oriented toward judicial correction to an approach oriented toward legal certainty and the protection of individual rights. Criminal procedural law is

essentially a law of protection for the defendant (*strafprocesrecht is de lex protectrix van de verdachte*).

In judicial practice, the filing of appeals or cassations by public prosecutors against acquittal verdicts indicates that prosecuting authorities still adhere to the old Criminal Procedure Code paradigm which opens up spaces for legal remedies against acquittal verdicts. The tendency of authorities to cling to such old habits underscores the importance of adequate legal understanding among law enforcement officials and the public, just as citizen participation in legal dynamics and state life also depends on the level of their understanding of changes in applicable rules (Rojak et al., 2021). The argument that such cases are still examined based on the old Criminal Procedure Code is used to justify the filing of subsequent legal remedies. However, such an argument is inaccurate when linked to the transitional provisions in the new Criminal Procedure Code regulating the applicability of laws in ongoing cases. In the science of legislation, transitional provisions or *overgangsbepalingen* function as a normative bridge regulating the legal status of an event or process when a change in legal regime occurs, ensuring that legal certainty remains guaranteed without sacrificing the principle of limited retroactivity (Pratama, 2025).

The transitional provision in Article 361 letter c of the new Criminal Procedure Code stipulates that cases that have been submitted to the court and begun examination continue to be examined, tried, and decided based on the old Criminal Procedure Code, except for requests for judicial review (*peninjauan kembali*) which are subject to the new Criminal Procedure Code. The phrase "examined, tried, and decided" becomes important because it indicates that the applicability of the old Criminal Procedure Code is limited up to the stage where the verdict is rendered. The consistency of applying such time limits is important to maintain across every type of criminal offense, including environmental law violation cases whose enforcement also demands clarity of procedural stages so as not to create a legal vacuum (Mahmud et al., 2023). After the first-instance verdict is pronounced, the entire subsequent process, including appeal and cassation, is subject to the new Criminal Procedure Code regime. The view stating that the old Criminal Procedure Code remains applicable until all examination stages are completed does not align with the explicit formulation of these transitional provisions. As stated by Van Apeldoorn in

legal interpretation theory, grammatical interpretation of key phrases in a norm must serve as the primary starting point before turning to other interpretation methods, because such phrases reflect the intent of the legislature most authentically (Ahwan & Ristanti, 2025).

These transitional provisions affirm that the appeal and cassation processes as subsequent stages after a verdict is rendered do not constitute part of the examination, trial, and adjudication of the case. Subsequent legal remedies against cases decided based on the old Criminal Procedure Code remain subject to the provisions in the new Criminal Procedure Code. This means that against an acquittal verdict handed down after the new Criminal Procedure Code comes into force, neither appeal nor cassation can be filed by the public prosecutor, even though the case began examination before the new Criminal Procedure Code took effect. The certainty of legal status acquired by the defendant since the acquittal verdict is pronounced plays a role in restoring social acceptance towards them, just as the reintegration process of former convicts into society heavily depends on the clarity of the legal status attached to them (Rizaldy et al., 2023). This logical consistency aligns with the principle of *tempus regit actum* which states that the applicable procedural law is the procedural law at the time the legal action is performed, and in this context, filing a legal remedy is a legal action subject to the procedural law applicable at the time the legal remedy is filed. Thus, the paradigm shift in the new Criminal Procedure Code is not only substantive in the regulation of acquittal verdicts, but also procedural in determining when a legal regime remains applicable and when a new regime begins to bind, so that legal certainty and the protection of the defendant's rights can be realized equitably during the transitional period between criminal procedural law regimes.

Finality versus Accuracy in Acquittal Verdicts: Comparative Regulation Between Countries and Its Relevance to the New Criminal Procedure Code

The debate regarding legal remedies against acquittal verdicts fundamentally stems from the epistemological tension between two fundamental values underlying the modern criminal justice system, namely finality and accuracy. Finality is a value that positions court decisions, especially acquittal verdicts, as judgments that must be respected

permanently and cannot be contested in order to realize legal certainty and protect individual rights from state apparatus errors. This value is rooted in the principle of *ne bis in idem* which prohibits double jeopardy, and in the recognition that a fair and complete judicial process must bring legal peace of mind to the defendant. Accuracy is a value that emphasizes the importance of material truth as the primary objective of criminal justice, thus requiring a correction mechanism for verdicts considered erroneous, whether due to misapplication of the law or the discovery of new facts previously unrevealed (Filho, 2025). These two values are not in absolute dichotomy, but rather exist in a dynamic dialectical relationship, where each possesses equally strong philosophical, sociological, and juridical justifications, thereby creating continuous tension in any effort to design an ideal criminal procedural law system. In the perspective of legal philosophy, this tension reflects the classical debate between procedural justice and substantive justice, where finality is closer to legal certainty as one of the goals of law as put forward by Gustav Radbruch, while accuracy is closer to justice as the highest ideal of law.

Finality in acquittal verdicts derives its legitimacy from two main arguments. First, from the perspective of legal certainty, finality ends the state of uncertainty experienced by the defendant throughout the judicial process, which psychologically, socially, and economically has imposed an extraordinarily heavy burden. A person who has been declared acquitted by the court has the right to restore their life without having to be constantly haunted by the threat of re-prosecution or the cancellation of the verdict. Second, from the perspective of human rights protection, finality functions as a recognition of individual dignity before the law, as well as a limitation against state power which tends to be expansive and repressive. Such protection of individual rights in turn also relies on the integrity of law enforcement officials themselves, because ethical principles in legal advocacy require every party practicing in court to uphold honesty and justice even within an adversarial system (Saktiawan et al., 2021). In this context, an acquittal verdict is not merely a statement regarding the insufficiency of evidence, but also a declaration by the state that its power to punish has failed and therefore must end. As emphasized by Dutch criminal law expert Jonkheer, an acquittal verdict contains the meaning of *onherroepelijk* or unchangeable because it concerns individual dignity that

has been restored by the state. The new Criminal Procedure Code, by closing cassation through Article 299 paragraph (2) and ordering immediate release through Article 244 paragraph (4), firmly and consciously chooses finality as the primary principle, reflecting a paradigm shift from a punishment-oriented approach to an individual rights-protection-oriented approach (Hastika et al., 2025).

Meanwhile, the value of accuracy derives its strength from the demand for substantive justice which forms the *raison d'être* of the entire criminal justice system. Accuracy maintains that the ultimate goal of the judicial process is not merely to resolve cases formally, but to discover material truth about what actually happened, so that punishment is imposed upon the genuinely guilty party and not upon the innocent party. Within this framework, an acquittal verdict handed down due to a judge's error in interpreting the law, or due to the discovery of convincing new evidence after the verdict is pronounced, is viewed as a systemic failure that must be rectified through legal remedy mechanisms. Groups prioritizing accuracy argue that legal certainty sacrificing truth is a false certainty, because law is inherently inseparable from the values of justice it seeks to uphold. They view that closing off legal remedies against acquittal verdicts absolutely actually has the potential to cause greater injustice, especially in cases of serious crimes where judgment errors can harm the interests of victims, victims' families, and the wider community. The spirit of restoring relationships between perpetrators, victims, and society is precisely the core of the restorative approach, as seen in efforts to resolve speech cases in digital spaces that prioritize restoration over mere punishment (Darmawan & Negara, 2023). This viewpoint aligns with restorative justice theory emphasizing the restoration of social balance through the complete revelation of truth, as developed by Howard Zehr and other thinkers (Than & Shorts, 2000).

The choice of the finality model in the new Criminal Procedure Code is not a choice born in a vacuum, but rather aligns with the model adopted by a number of countries with a strong tradition of individual rights protection. In the United States, the principle of double jeopardy protected through the Double Jeopardy Clause of the Fifth Amendment of the Constitution guarantees that a person cannot be prosecuted twice for the same act following an acquittal verdict. The United States Supreme Court in various rulings, such as in the case of *Green v. United States*

(1957), has affirmed that protection against double prosecution is not merely a procedural prohibition, but rather a fundamental right inherent in the concept of due process of law. The shaping of the meaning of a criminal provision through a series of court decisions of this sort demonstrates the importance of jurisprudential consistency, as also seen in the development of the application of money laundering criminal elements in Indonesian judicial practices which are largely shaped by judicial decisions (Rusianto et al., 2023). Public prosecutors in the United States may only appeal on the basis of legal errors that do not require the examination of new facts, for instance when the judge errs in interpreting the elements of a criminal offense. In Germany, a similar protection is even elevated to a constitutional level through Article 103 paragraph (3) of the Grundgesetz, which explicitly prohibits double punishment for the same act, so that the finality of an acquittal verdict possesses a foundation that cannot be disrupted by ordinary legislative policy changes. Both systems demonstrate that finality is not a weak or naive choice, but rather a choice based on the conviction that the state must submit to predetermined legal boundaries, even when those boundaries mean accepting the possibility that actual criminals escape punishment, which in legal theory is known as the price of liberty (Pangaribuan, 2019).

In England and Wales, the principle of *autrefois acquit*, which is part of the common law, prohibits re-prosecution for a case that has resulted in an acquittal. However, unlike the strict United States model, England introduced a limited modification through the Criminal Justice Act 2003 as a response to a number of controversial cases where acquittal verdicts turned out to be based on evidence that was subsequently proven to be false or incomplete. This statute grants appellate courts the authority to quash an acquittal verdict and order a retrial for certain serious criminal offenses, subject to very strict cumulative requirements. Exceptions applicable solely to serious crimes of this nature align with the logic that criminal sanctions need to be maintained in their effectiveness specifically for offenses generating wide-ranging impacts for the state and society, as seen in corruption crime prevention efforts through the enforcement of strict criminal sanctions (Suhartono et al., 2024). First, there must be new and compelling evidence that was not presented in the previous trial. Second, the Director of Public Prosecutions must consent to the appeal

application. Third, the appellate court must state that the quashing of the acquittal verdict and the retrial are conducted in the interest of justice (Akhtar, 2024). This modification demonstrates that even within a system heavily respecting finality, limited space exists to accommodate the value of accuracy in extraordinary cases where legal certainty must yield to higher demands of justice, an approach termed by experts as exceptionalism in criminal procedure. Nevertheless, the application of this modification remains strictly cautious and exceptional, thereby failing to undermine the fundamental principle of finality as the primary foundation.

France offers a distinct and interesting model, where public prosecutors are granted the right to appeal against acquittal verdicts as a mechanism for factual correction. In the French system, an appeal is treated as a continuation of the first-instance trial, rather than as a new prosecution, so it is formally deemed not to conflict with the principle of *ne bis in idem*. Consequently, the entire process from the first-instance trial up to the appellate verdict is viewed as a single unified judicial process that has not yet acquired permanent legal force. Once all avenues of appeal are exhausted and the verdict attains permanent legal force, prosecution for the same act becomes completely closed (Nikolić, 2024). The French model demonstrates that the value of accuracy can be accommodated within a civil law system without permanently sacrificing finality, provided that such correction mechanism forms an integrated part of a continuous judicial process, as asserted by the doctrine of *l'unité du procès pénal*. The Netherlands chooses a different approach by explicitly codifying the principle of *ne bis in idem* in Article 68 of the *Wetboek van Strafrecht*, which prohibits a second prosecution for an act that has acquired a verdict with permanent legal force, including acquittal verdicts. The Netherlands does not open up space for retrials on the basis of new evidence, as it is considered that legal certainty and protection against *res judicata* represent higher values than the pursuit of material truth in every case, a view reflecting the strong Romano-Dutch legal tradition in prioritizing *rechtszekerheid* over unlimited *rechtsvinding*.

The new Criminal Procedure Code has essentially taken a clear position by choosing the finality model in the regulation of acquittal verdicts. This is reflected in the provisions of Article 299 paragraph (2) which explicitly closes the filing of cassation against acquittal verdicts, as

well as Article 244 paragraph (4) which orders the immediate release of the defendant after the verdict is pronounced. Both provisions systemically indicate that the legislature intends for acquittal verdicts to possess a final character and to be immutable through subsequent legal remedy mechanisms. However, the fundamental weakness of this regulation lies in the absence of a norm that expressly and explicitly prohibits the filing of an appeal against an acquittal verdict. Redactional weaknesses of this sort fundamentally reflect broader structural issues within the Indonesian criminal justice system, as also seen in structural obstacles in optimizing the recovery of state assets which similarly demand more stringent norm structuring (Saputra et al., 2025). Article 244 of the new Criminal Procedure Code only regulates the order for immediate release, but does not explicitly state that an appeal cannot be filed against an acquittal verdict. The absence of a clear regulation regarding the prohibition of appeal is precisely what becomes an interpretive loophole, because in the Indonesian criminal procedural law system, an appeal is an open legal remedy, meaning that all first-instance court decisions can be appealed unless determined otherwise explicitly by law (Amaris & Haryanto, 2025). In the science of legal interpretation, such a loophole is termed a *rechtsleemte* or an apparent legal vacuum (*echte leemte*), which requires resolution through systematic and historical interpretation to capture the intent of the legislature completely.

Such redactional weaknesses are not merely theoretical issues, but have given rise to real and problematic practical implications in judicial practice. In various cases, public prosecutors file appeals or cassations against acquittal verdicts, with the argument that cases are still being examined based on the old Criminal Procedure Code which still opens up spaces for legal remedies against acquittal verdicts under certain conditions. However, this argument does not align with the transitional provisions in Article 361 letter c of the new Criminal Procedure Code, which states that cases that have been submitted to the court and begun examination continue to be examined, tried, and decided based on the old Criminal Procedure Code, except for judicial reviews which are subject to the new Criminal Procedure Code. The phrase "examined, tried, and decided" grammatically limits the applicability of the old Criminal Procedure Code up to the stage where the verdict is rendered, so the appeal and cassation processes as subsequent

stages are subject to the new Criminal Procedure Code regime. Such varying treatment across different courts ultimately creates disparate legal fates for defendants in similar positions, a phenomenon comparable to how social stereotypes can generate unequal treatment toward individuals across various fields of life (Sajjapong et al., 2022). This redactional ambiguity consistently results in disparities of application across various courts, where some judges accept prosecutorial appeals and overturn acquittal verdicts, while other judges reject them on the grounds of the finality of acquittal verdicts. This condition creates legal uncertainty that harms all parties: defendants, prosecutors, and victims alike because there is no certainty regarding the final legal status of a case. In the perspective of Niklas Luhmann's legal systems theory, this disparity reflects an irritation within the legal subsystem caused by the unclear binary code between finality and accuracy, thereby disrupting the autopoietic function of the criminal justice system (Silitonga et al., 2025).

The condition of uncertainty as outlined above demands concrete steps to reaffirm the finality choice adopted by the new Criminal Procedure Code. The most fundamental first step is the necessity to revise Article 244 of the new Criminal Procedure Code by adding a clause that explicitly and unambiguously states that "no legal remedies of appeal or cassation can be filed against an acquittal verdict." This normative affirmation is important to end the interpretive debate that has colored judicial practice and to provide legal certainty for all parties involved in the criminal process. Such certainty of norms should also be followed by the structuring of consistent legal protection mechanisms for specific groups within the justice system, as seen in the application of diversion and guidance as forms of legal protection for child offenders that demand procedure clarity so that social reintegration objectives can be achieved (Utama et al., 2024). The second step, which is short-term and can be implemented immediately, is the active role of the Supreme Court in building consistent and binding interpretations through the issuance of Supreme Court Regulations (Peraturan Mahkamah Agung - PerMA) or through the formation of established jurisprudence. The Supreme Court as the highest judicial institution possesses the authority and responsibility to standardize legal interpretation across all judicial environments, so that the application disparities that have occurred can be overcome (Detasatria et al., 2025). Consistent jurisprudence regarding the

prohibition of appeals against acquittal verdicts will provide clear guidance for judges at the first-instance and appellate levels, while simultaneously providing legal protection for defendants from protracted prosecution efforts. In this context, the Supreme Court can refer to limited *contra legem* principles, namely interpretations that go beyond the text of the law yet remain within the spirit of the legislature, as developed in the European civil law tradition.

The debate between finality and accuracy in acquittal verdicts is not a debate that can be resolved absolutely by favoring one value completely. Both values are two sides of the same coin, namely justice. An ideal criminal justice system cannot ignore either of them, but must find a proportional balance between legal certainty and material truth, between individual protection and public interest. Such a balance ultimately does not stop at the verdict stage, but needs to continue until the rehabilitation of the involved parties, just as the idea of integrating a restorative approach into offender rehabilitation programs also affirms that ideal criminal justice should not stop at the verdict alone, but continue toward comprehensive rehabilitation (Udjari et al., 2022). In the philosophy of Pancasila law, this balance aligns with the principle of social justice which requires the law to side with truth while guaranteeing the protection of citizens' rights. The new Criminal Procedure Code, by choosing finality as its primary principle, has taken a position consistent with global trends in human rights protection and the limitation of state power (Hastika et al., 2025). However, this choice must be implemented consistently and firmly through unambiguous normative formulations, supported by uniform interpretations from the Supreme Court. To accommodate the value of accuracy in exceptional cases, future legislators may consider opening a very limited retrial space, similar to the model applied in England through the Criminal Justice Act 2003, with strict requirements and careful procedures, without undermining the principle of finality as the main foundation. In this way, the Indonesian criminal justice system can evolve toward a more balanced, responsive, and equitable model capable of protecting individual rights while fulfilling societal demands for truth and substantive justice, an ideal referred to by criminal procedural law experts as procedural justice with substantive outcome.

Conclusion

An acquittal verdict in the criminal justice system is an instrument of human rights protection that is final and immutable through legal remedies. The new Criminal Procedure Code has adopted the finality model by closing off all avenues for legal remedies against acquittal verdicts, both appeal and cassation, as reflected in Article 244 paragraph (4) and Article 299 paragraph (2). The transitional provision in Article 361 letter c limits the applicability of the old Criminal Procedure Code only up to the stage where the verdict is rendered, so that subsequent legal remedies against acquittal verdicts handed down after the entry into force of the new Criminal Procedure Code are not possible.

The tension between the values of finality and accuracy that underlies the debate regarding legal remedies against acquittal verdicts cannot be resolved absolutely by sacrificing either value completely. The new Criminal Procedure Code has chosen finality as its primary principle, and this choice is consistent with global trends in human rights protection and the limitation of state repressive powers, as seen in the comparison with legal systems in the United States, Germany, the United Kingdom, France, and the Netherlands. Nevertheless, this choice still requires strengthening through unambiguous normative formulations and uniform judicial interpretation, so that legal certainty and the protection of the defendant's rights can be realized equitably in criminal judicial practice.

The implication of this research is the necessity for normative affirmation through the revision of Article 244 of the new Criminal Procedure Code so that the prohibition of legal remedies against acquittal verdicts is explicitly formulated, and the Supreme Court needs to build consistent interpretation through Supreme Court Regulations or jurisprudence so that the application of the new Criminal Procedure Code does not create legal uncertainty in criminal judicial practice.

References

- Abdullah, M. H. A. B., Gardi, B., & Darmawan, D. 2021. Innovation in Human Resource Management to enhance Organizational Competitiveness in the Era of Globalization. *Journal of Social Science Studies*, 1(1), 51–58.
- Ahwan, A., & Ristanti, Y. 2025. Judicial scrutiny in the ruling of the kuhap. *JIHAD: Jurnal Ilmu Hukum Dan Administrasi*, 7(4), 9580. <https://doi.org/10.58258/jihad.v7i4.9580>

- Akhtar, Z. 2024. Double Jeopardy, Autrefois Acquit and the Legal Ethics of the Rule Against Unreasonably Splitting a Case. *Criminal Justice Ethics*, 43(1), 1-20. <https://doi.org/10.1080/0731129x.2024.2325795>
- Al Haibah, M. F. F., Hardyansah, R., & Saktiawan, P. 2024. Implementation of the Juvenile Justice System in the Case of Child Murder Offenders: Restorative, Protection, and Social Reconstruction Principles. *Studi Ilmu Sosial Indonesia*, 4(2), 21-40.
- Amaris, P. K. P., & Haryanto, D. R. S. 2025. Harmonization of Judicial Pardon in The 2023 Criminal Code and Criminal Procedure Code: Normative Criticism of the Design of Indonesia's Modern Penal System. *West Science Interdisciplinary Studies*, 3(10), 1850-1860. <https://doi.org/10.58812/wsis.v3i10.2319>
- Barhamudin, B. 2024. Kebebasan tersangka memberikan keterangan dalam proses penyidikan. *Solusi*, 22(2), 162-168. <https://doi.org/10.36546/solusi.v22i2.1215>
- Da Silva, E. B., & Khayru, R. K. 2025. Marital Rape in the Perspective of Legal Consciousness and Social Norms. *Studi Ilmu Sosial Indonesia*, 5(1), 359-380.
- Darmawan, D. 2017. The Effects of The Big Five Personality on Job Performance. *Management & Accounting Research Journal*, 2(1), 36-42.
- Darmawan, D. 2024. Distribution of Six Major Factors Enhancing Organizational Effectiveness. *Journal of Distribution Science*, 22(4), 47-58.
- Darmawan, D., & da Silva, B. D. S. 2025. Blockchain as an Instrument of Decentralized Social Order and Democratic Reconfiguration. *Bulletin of Science, Technology and Society*, 4(1), 11-18.
- Darmawan, D., & Negara, D. S. 2023. The Application of Restorative Justice in Resolving Speech Cases in the Digital Space: A Normative Analysis of the Electronic Information and Transactions Law and the Criminal Code. *Journal of Social Science Studies*, 3(1), 295-306.
- Darmawan, D., Hardyansah, R., & Marzuki, A. A. A. 2025. Analysis of The ITE Law and Criminal Acts of Carding and Phishing in Indonesia. *Jurnal Bina Mulia Hukum*, 10(1), 1-17.
- Darmawan, D., Hardyansah, R., Sulani, S., Marsal, A. P., & Da Silva, E. B. 2024. Change Management and Legal Compliance in Modern Organizations. *International Journal of Service Science, Management, Engineering, and Technology*, 6(3), 11-16.
- Detasatria, T., Supardi, S., & Wahyudi, S. T. 2025. Submission of Criminal Cases to The District Court After Pretrial Decision (Case Study of Case Number 1545/PID.SUS/2023/PN TNG Dated October 02, 2023). *International Journal of Social Science and Human Research*, 8(6), 61. <https://doi.org/10.47191/ijsshr/v8-i6-61>
- Dewi, S. A. T. 2025. The Analysis of Judicial Authority in Issuing Acquittal Decisions. *Pena Justisia Media Komunikasi Dan Kajian Hukum (Edisi Elektronik)*, 24(1), 2887-2909. <https://doi.org/10.31941/pj.v24i1.6532>
- Ferdinanta, A. S. I., Saputra, R., & Darmawan, D. 2024. The Effectiveness of Death Penalty as an Effort to Counter Serious Crimes: A Literature Review. *Bulletin of Science, Technology and Society*, 3(1), 52-62.
- Filho, W. G. L. D. C. 2025. Da vedação à reformatio in pejus e a revisão criminal pro societate. *Lumen et Virtus*, 16(51), e7646. <https://doi.org/10.56238/levv16n51-082>
- Hartika, Y., Saputra, R., Pakpahan, N. H., Darmawan, D., & Putra, A. R. 2023. A Study on the Falsification of Health Certificates: Perspective of Criminal Law and Professional Ethics. *Journal of Social Science Studies*, 3(2), 175-180.
- Hasibuan, Z., Syahril, S., Saifuddin, B., & Busyro, M. 2024. Verdict for acquittal in criminal law perspective. *Pranata Hukum: Jurnal Ilmu Hukum*, 19(2), 159-165. <https://doi.org/10.36448/pranatahukum.v19i2.354>

- Hastika, A. R., Erliyani, R., Suprpto, S., & Zulaeha, M. 2025. Establishing Time Limits for Investigations Based on Legal Certainty Values. *Journal of Law and Policy Transformation*, 6(2), 2662. <https://doi.org/10.38035/jlph.v6i2.2662>
- Irfansyah, M. F., Darmawan, D., & Hardyansah, R. 2024. Implementation of the Principle of Good Faith in Contract Performance. *Bulletin of Science, Technology and Society*, 3(2), 51-56.
- Jayadi, H., Saputra, R., & Dirgantara, F. 2025. The Role of Lawyers in the Judicial System: Responsibilities, Challenges and Strengthening Legal Protection. *Studi Ilmu Sosial Indonesia*, 5(2), 81-94.
- Kurniawan, Y., & Darmawan, D. 2021. The Adaptive Learning Effect on Individual and Collecting Learning. *Journal of Social Science Studies*, 1(1), 93-98.
- Lase, A. 2025. Pertimbangan hakim dalam penjatuhan putusan bebas pada tindak pidana narkoba. *Jurnal Pembaharuan Hukum*, 4(1), 233-249. <https://doi.org/10.57094/jph.v4i1.1544>
- Lukmantara, R. H., Suwito, S., & Darmawan, D. 2022. Criminological Perspectives on Criminal Law Enforcement in Human Trafficking Cases: A Literature Review. *Bulletin of Science, Technology and Society*, 1(3), 37-44.
- Mahmud, M., Darmawan, D., Khayru, R. K., Nuraini, R., & Issalillah, F. 2023. Enforcement of Criminal Law Against Perpetrators of Environmental Pollution. *International Journal of Service Science, Management, Engineering, and Technology*, 4(1), 43-46.
- Marian, O.-M. 2024. The concept, conditions and forms of guilt. *Agora International Journal of Juridical Sciences*, 18(1), 258-262. <https://doi.org/10.15837/aijs.v18i1.6763>
- Muthahhar, A. A. B., & Rosnawati, E. 2024. Acquittal Verdict in the Perspective of Justice for Victims and Families. *Umsida Preprints Service*, 6356. <https://doi.org/10.21070/ups.6356>
- Nikolić, V. 2024. The principle ne bis in idem and public prosecutor's decisions. *Crimen*, 15(2), 234-254. <https://doi.org/10.5937/crimen2402234n>
- Pamungkas, D. S. P., Dirgantara, F., Saputra, R., Khayru, R. K., & Pakpahan, N. H. 2025. Efforts to Fulfill the Rights and Legal Protection of Elderly Prisoners in Correctional Institutions Through Service Reform and Strengthening the Monitoring System. *Studi Ilmu Sosial Indonesia*, 5(1), 45-64.
- Pangaribuan, A. 2019. Appeal Against Acquittal By The Prosecutor: Critical Comments on The Indonesian Constitutional Court Decision. *Jurnal Legalitas*, 2(1), 1-17. <https://doi.org/10.22437/JLJ.2.1.1-17>
- Prabowo, D. S., Mujito, M., & Darmawan, D. 2024. Regulation of Criminal Acts of Narcotics Abuse in the Narcotics Law. *Bulletin of Science, Technology and Society*, 3(1), 46-51.
- Prasetyo, A. C., Saputra, R., & Wijaya, K. 2024. Procedural Justice and Public Understanding of Victim Restitution Rights. *Studi Ilmu Sosial Indonesia*, 4(2), 305-328.
- Pratama, I. G. A. P. Y. 2025. Tinjauan yuridis prapenuntutan dalam sistem peradilan pidana menurut kitab undang-undang hukum acara pidana. *Kerta Dyatmika: Jurnal Ilmiah*, 22(2), 66-75. <https://doi.org/10.46650/kd.v22i2.1751>
- Purwanto, D., Hardyansah, R., & Darmawan, D. 2025. Counterfeit Product Sales in Traditional Markets and Public Attitudes. *Studi Ilmu Sosial Indonesia*, 5(1), 139-166.
- Rianto, R., Darmawan, D., & Negara, D. S. 2023. The Application of Restorative Justice in Resolving Speech Cases in the Digital Space: A Normative Analysis of the Electronic Information and Transactions Law and the Criminal Code. *Journal of Social Science Studies*, 3(1), 295-306.

- Rizaldy, B. M., Waskito, S., & Putra, A. R. 2023. Constructing Social Acceptance of Former Prisoners After Release through Citizenship Relations. *Studi Ilmu Sosial Indonesia*, 3(2), 309-332.
- Rojak, J. A., Khayru, R. K., & Darmawan, D. 2021. Citizens' Political Participation in Electoral Democracy and the Dynamics of Civil Society Movements. *Studi Ilmu Sosial Indonesia*, 1(1), 161-176.
- Rusianto, R., Hardyansah, R., & Darmawan, D. 2023. Application of the Elements of Money Laundering Crime in Indonesian Jurisprudence. *Bulletin of Science, Technology and Society*, 2(3), 44-50.
- Sajjapong, T., Darmawan, D., & Marsal, A. P. 2022. The Role of Social Stereotypes in Shaping Opportunities and Inequalities in Society: Their Impact on Education, Employment, and Intergroup Interactions. *Bulletin of Science, Technology and Society*, 1(1), 44-49.
- Saktiawan, P., Hardyansah, R., Darmawan, D., & Putra, A. R. 2021. Ethical Principles in Indonesian Legal Advocacy: Sustaining Justice in Adversarial Systems Through Professional Integrity. *Journal of Social Science Studies*, 1(2), 239-244.
- Saputra, R., Prayitno, S., & Dirgantara, F. 2025. The Indonesian Criminal Justice System in Optimising the Recovery of State Assets: Structural Obstacles and the Urgency of Adopting Non-Conviction-Based Asset Forfeiture. *Studi Ilmu Sosial Indonesia*, 5(2), 23-42.
- Sari, N. W., Yanto, O., Widodo, G., Rejeki, H. P., & Ramadan, T. 2025. The Role of Justice Law Enforcement By Judges In Handling Criminal Cases. *Legalis*, 3(2), 1-12. <https://doi.org/10.61978/legalis.v3i2.515>
- Silitonga, A. B., Napang, M., & Ilyas, A. 2025. Legal Uncertainty in Criminal Justice: A Study of the Practice of Changing Charges in Replicas Based on the Criminal Procedure Code. *Journal of Modern World*, 2025(2), 133-142. <https://doi.org/10.53935/jomw.v2024i4.882>
- Suhartono, S., Sudjai, S., Darmawan, D., Rizky, M. C., & Saktiawan, P. 2024. The Effectiveness of Criminal Sanctions in Preventing Corruption: A Literature Review of the Indonesian Legal System. *Bulletin of Science, Technology and Society*, 3(3), 43-48.
- Sulani, S., Darmawan, D., Suwito, S., Mardikaningsih, R., & Gautama, E. C. 2025. Private Sales Deeds In Land Disputes: Weaknesses In Evidence And Registration Obstacles. *Bureaucracy Journal: Indonesia Journal of Law and Social-Political Governance*, 5(3), 4194-4218.
- Than, C. de, & Shorts, E. 2000. Double Jeopardy—Double Trouble. *Journal of Criminal Law*, 64(6), 624-641. <https://doi.org/10.1177/002201830006400610>
- Udjari, H., Hardyansah, R., Da Silva, E. B., & Cruz, C. da. 2022. Integrating Restorative Justice into Offender Rehabilitation Programs. *Journal of Social Science Studies*, 2(2), 201-206.
- Ursu, V. 2024. Judicial decision-making process: beyond the robes. *Simposion cu Participare Internațională "Statul, Democrația și Dreptul"*, 290-297. <https://doi.org/10.59295/ssdoed2024.29>
- Utama, S. P., Suwito, S., Waskito, S., & Khayru, R. K. 2024. Legal Protection of Juvenile Offenders Through Diversion, Development, and Social Reintegration in the Criminal Justice System. *Studi Ilmu Sosial Indonesia*, 4(2), 1-20.
- Wibisono, M. R., Rizky, M. C., & Sudjai. 2023. Norm Certainty and Enforcement Legitimacy in Local Public Order Regulation. *Studi Ilmu Sosial Indonesia*, 3(2), 223-246.
- Wijaya, F. P., Safira, M. E., & Darmawan, D. 2022. Application of Restorative Justice in Criminal Case Settlement in Indonesia: A Literature Perspective. *Bulletin of Science, Technology and Society*, 1(3), 30-36.
- Zai, A. S. P. 2024. Juridical Analysis of the Cassation Mechanism in acquittal Cases in Indonesia. *Humanities and Social Sciences Journal*, 1(6), 1-8. <https://doi.org/10.62872/hj4p7m64>