

Items Wrongfully Seized in Corruption Cases



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Legal Objection; Seizure of Items; Third Party Acting in Good Faith; Corruption Crimes.

ABSTRACT

This paper examines the legal mechanism for third parties to file objections to the wrongful seizure of items, focusing on the applicability of Supreme Court Regulation (PERMA) No. 2 of 2022. The approaches used include legislative, case-based, and conceptual approaches. The Djoko Susilo case serves as a concrete example, where the defendant's family filed an objection to the seizure of assets that were not proceeds of a crime. PERMA No. 2 of 2022 provides a procedure for filing objections in an orderly, swift, and cost-free manner, while avoiding overlap between civil and administrative jurisdictions. However, the success of the objection is heavily dependent on proving the "good faith" of the third party, a concept that in practice is often subject to multiple interpretations and prone to misuse. This PERMA has unified legal interpretations, provided legal certainty, and strengthened the protection of ownership rights of third parties not involved in criminal activities, although the element of "good faith" remains a crucial point in determining whether the objection request will be granted by the judge. This concept needs to be clarified normatively to prevent legal ambiguity and ensure the principle of substantive justice in criminal law enforcement, particularly in corruption cases involving property.

1. Introduction

In Indonesia, there was a case known as the Sengkon and Karta case, which occurred in 1977, nearly half a century ago. The emergence of Judicial Review (PK) in legal practice in Indonesia cannot be separated from this case. Sengkon and Karta were farmers from Bojongsari, Bekasi, West Java, who were found guilty by the Bekasi District Court of charges of murder and robbery, leading to sentences of 12 years and 7 years in prison, respectively. On appeal, the Bandung High Court upheld the same sentences, which then became final and binding. Sengkon and Karta served their sentences at the Cipinang Penitentiary. Briefly, it was widely known that there was a miscarriage of justice in this case because Sengkon and Karta were not the actual perpetrators.

At that time, there was no standard procedural law for Judicial Review. Coincidentally, the draft Criminal Procedure Code (KUHAP) was being discussed in the Indonesian Parliament. The Supreme Court then issued Supreme Court Regulation Number 1 of 1980 concerning Judicial Review of Decisions that Have Obtained Permanent Legal Force, which was used to address the controversy surrounding the Sengkon and Karta case.

Finally, by order of the Chief Justice of the Supreme Court (at that time, Oemar Seno Adji), they were released on January 24, 1981. Supreme Court Regulation Number 1 of 1980 became a regulation that supplemented procedural law regarding the court's examination of Judicial Review requests. The substantive provisions of Supreme Court Regulation Number 1 of 1980 became the precursor to the substantive provisions of the KUHAP concerning Judicial Review.

What happens if the mistake is not related to a person but to property that was wrongfully seized? Is there a legal path for the rightful owner to reclaim their property?

For instance, in the corruption case involving the procurement of the driver's license simulator, which implicated the former Head of the Traffic Corps of the National Police, General Djoko Susilo. In this case, Djoko Susilo was sentenced to 18 years in prison, along with a fine of Rp1 billion. Djoko Susilo was also ordered to pay replacement money of Rp32 billion and his political rights were revoked. In this corruption case, assets belonging to Ledy Diah Hapsari and Dipta Anindita were also seized by the Corruption Eradication Commission (KPK) during the investigation. These included land and buildings at Jalan

Perintis Kemerdekaan No. 70, Sondakan, Laweyan; at Jalan Sam Ratulangi No. 16, Manahan, Banjarsari; and at Jalan Lombo Batang Tengah No. 20, Mojosoongo, Jebres. The seized assets were eventually declared to be confiscated. When the state (KPK) was about to auction these assets, Dipta Anindita, along with Ledy Diah Hapsari and Poppy Femialya (Djoko Susilo's daughter), chose to file a civil lawsuit against the KPK in the Surakarta District Court. In addition to filing a civil lawsuit, Poppy Femialya also filed an administrative lawsuit at the State Administrative Court in Jakarta.

Their efforts serve as an example of how third parties can file objections against the seizure of property in corruption cases. In practice, many objections have been filed and handled in different ways, prompting the Supreme Court to implement Regulation No. 2 of 2022 regarding the Procedures for Third Party Objections in Good Faith Against the Seizure of Property Not Belonging to the Defendant in Corruption Cases. This regulation specifically addresses the seizure of movable or immovable property, whether tangible or intangible, that was used for or obtained from corruption offenses. Based on Article 19, paragraph (2), letter a of Law No. 31 of 1999 jo. Law No. 20 of 2001, third parties acting in good faith, whose rights are harmed by the decision to seize property, may file an objection with the corruption court within a maximum of 2 (two) months after the court's decision is publicly announced. The issuance of this regulation aims to avoid different interpretations and the inconsistent application of procedures for handling objection requests.

2. Method

This paper discusses the issue to be examined, which is how objections are filed and how these objections can be accepted. This paper is the result of a normative study, using the statute approach, case approach, and conceptual approach. With the statute approach, the relevant legislation will be examined to find the ratio legis underlying the enactment of the related regulations. The case approach will analyze court decisions to find the ratio decidendi contained in the legal considerations of the rulings. Meanwhile, the conceptual approach will use concepts relevant to the issues at hand. This approach will be based on views and doctrines developed in legal science to help harmonize perceptions of ambiguous legal language, assist in analyzing the meaning and implications of various legal concepts, and help discover ideas that lead to the understanding of legal concepts, principles, and norms.

3. Result and Discussion

Procedure for Filing Objections

Article 19, paragraph (2) of Law No. 31 of 1999 on the Eradication of Corruption Crimes, as amended by Law No. 20 of 2001 on Amendments to Law No. 31 of 1999 on the Eradication of Corruption Crimes, provides an opportunity for third parties acting in good faith, whose rights have been harmed by a decision on the seizure of property in the enforcement of anti-corruption laws. The property in question can be movable, immovable, tangible, or intangible property that was used for or obtained from a corruption crime. The objection must be submitted to the corruption court within a maximum of two months after the court's decision is announced in an open public hearing.

The Law on the Eradication of Corruption Crimes does not provide detailed procedural rules for filing and examining objections from third parties acting in good faith whose rights have been harmed by a decision on the seizure of property in the enforcement of anti-corruption laws. This creates room for varying interpretations and results in differences in the application of procedures for handling objection requests. To ensure uniformity and the application of law in handling objections to the decision on the seizure of property not belonging to the defendant, the Supreme Court has enacted Supreme Court Regulation No. 2 of 2022 on the Procedures for Resolving Objections by Third Parties Acting in Good Faith to the Seizure of Property Not Belonging to the Defendant in Corruption Cases. This regulation was issued to provide legal protection and legal certainty.

In this regulation, the applicant is defined as the owner, guardian, or curator of the property owner in bankruptcy cases, considered as the "Third Party Acting in Good Faith" who files an objection as outlined in the Supreme Court Regulation. A curator can file an objection if the bankruptcy declaration was made before the investigation started. The term "Third Party Acting in Good Faith" is restricted to those who can prove they are the rightful owners, guardians, or curators in a bankruptcy case over property that is not legally linked to the occurrence of a corruption crime.

The property in question may include movable, immovable, tangible, or intangible property, including money. Under the applicable criminal procedural law, it has been established that once a case is decided, the seized property is returned to the person or to those named in the decision, unless the judge's ruling specifies that the property should be confiscated for the state, destroyed, or rendered useless. The seized property may also be designated for use as evidence in other cases. In corruption



cases, objections can be filed against the confiscation of property declared as state property or designated for destruction. Objections may also be filed against the confiscation of corporate assets.

The objection request is submitted to the District Court/Military Court/Military High Court that is responsible for examining, adjudicating, and deciding on the main case at the first level. An objection can only be filed once by the same party. The objection must be submitted in writing, which can be delivered through electronic means or in the conventional manner. The panel of judges examining the case is not permitted to include judges who have previously adjudicated the main case being objected to.

The result of the objection examination will be decided in the form of a ruling. There are no rebuttals, surrebuttals, or closing statements in the examination of this objection, which are typically found in civil case proceedings. The legal remedy available for the ruling given by the court is cassation, which must be submitted within fourteen days after the ruling is pronounced or notified. The cassation petition must be accompanied by a cassation memorandum. If there is no cassation memorandum, the court will issue a ruling declaring the cassation petition inadmissible, and the case file will no longer need to be sent to the Supreme Court.

The Supreme Court Regulation does not mention the possibility of an appeal. Typically, rulings on objections cannot be appealed. A ruling is a decision containing considerations and the resolution of the objection request, and it is issued in the form of a ruling, also referred to as "decree" or "beschikking." In civil cases, a ruling on a petition is considered a first and final decision according to applicable doctrine and practice. A ruling issued in cases involving a petition or voluntary matters is generally considered a first and final decision. For first and final court rulings, no appeal can be made. A Judicial Review

(PK) cannot be filed against the ruling on the examination of the objection to the confiscation of property not belonging to the defendant in corruption cases.

It is important to note that the filing of objections under this Supreme Court Regulation is free of charge. The examination process will proceed as follows:

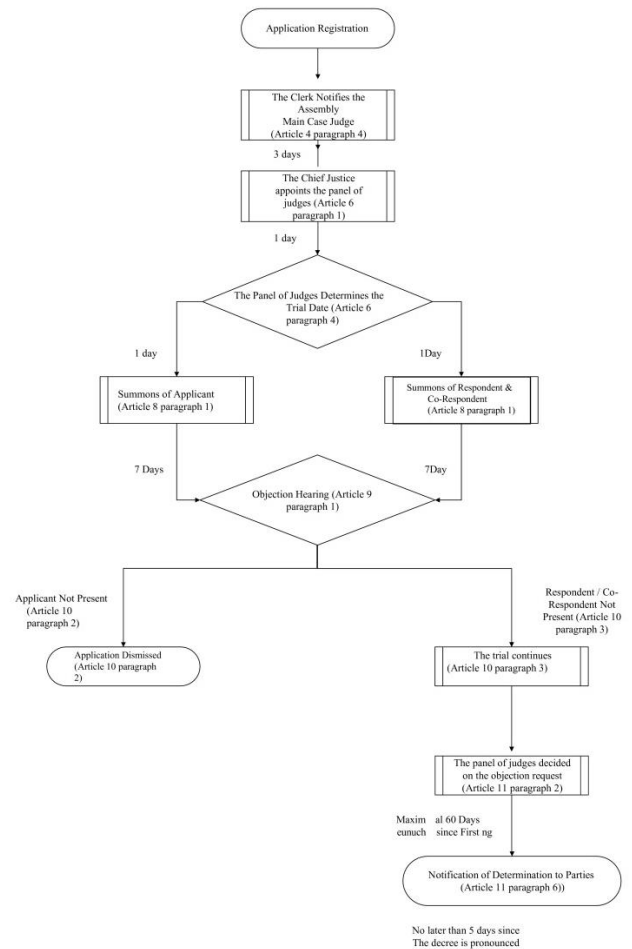


Diagram 1.1. Flowchart of Third-Party Objection Request in Good Faith Against the Seizure of Property Not Belonging to the Defendant in Corruption Cases

The examination of the objection request begins with the summoning of the parties (both the Applicant and the Respondent). The court is required to summon the Applicant, the Respondent, and the Third Party to the objection with a registered letter no later than seven days before the first examination session begins. The term "day" refers to a calendar day. The summoning can also be done electronically, in accordance with the provisions of

applicable regulations. The court clerk and bailiffs/substitute bailiffs will be tasked with making the summons. If necessary, the panel of judges may order the substitute clerk to summon the relevant parties to hear their testimony.

If, after being summoned, any party fails to attend the first hearing, the presiding judge will order the Applicant, Respondent, and/or Third Party (who did not attend) to be summoned once more, in a valid and appropriate manner. A valid and appropriate summons is considered received by the summoned party if carried out as specified in Article 8, paragraph (1), i.e., by using a registered letter no later than seven days before the first examination session



begins. After this second summons, if the Applicant still fails to attend the next hearing, the objection request will be declared void and cannot be submitted again. In contrast, if the Respondent and/or Third Party fails to attend the next hearing, the examination of the objection request may continue until a ruling is made, following the procedure shown in Diagram 1.1 above.

The procedure set by Supreme Court Regulation No. 2 of 2022 facilitates the submission and examination of objections against the Seizure of Property Decisions in

Corruption Cases. Indeed, trials should be conducted in a simple, swift, and cost-effective manner. This contrasts with objections raised in the Djoko Susilo corruption case, a former Police General who once served as the Head of the Traffic Corps at the Indonesian National Police. The objections in this case were submitted more than once and even went to different courts (administrative court). The objections in the Djoko Susilo case can be summarized in the table below:

No	Applicant Name	Registration No.	Object	Final Ruling
1	1. Poppy Femialya 2. Dipta Anindita 3. Lady Diah Hapsari	52/Pdt.G/2016/PN Skt	1. Jalan Perintis Kemerdekaan No. 70, Sondakan, Laweyan; 2. Jalan Sam Ratulangi No. 16, Manahan, Banjarsari; 3. Jalan Lombo Batang Tengah No. 20, Mojosongo, Jebres	Withdrawn
2	1. Poppy Femialya 2. Lady Diah Hapsari	129/Pdt.G/2016/PN Skt 350/PDT/2017/PT SMG 3310 K/PDT/2018	1. Jalan Perintis Kemerdekaan No. 70, Kelurahan Sondakan, Kecamatan Laweyan, Kotamadya Surakarta, Provinsi Jawa Tengah in the name of Poppy Femialya 2. Jalan Lombo Batang Tengah No. 20 Mojosongo, Solo, Jawa Tengah in the name of Lady Diah Hapsari Dewi	Rejected
3	1. Djoko Susilo 2. Poppy Femialya	340/Pdt.G/2019/PN Skt 95/Pdt/2021/PT SMG	1. Jalan Perintis Kemerdekaan No. 70, Kelurahan Sondakan, Kecamatan Laweyan, Kotamadya Surakarta, Provinsi Jawa Tengah	Not Accepted
4	1. Poppy Femialya	206/G/2017/PTUN-JKT 225/B/2018/PT.TUN.JKT	1. Jalan Perintis Kemerdekaan No.	Rejected



nationally, is regulated solely by Supreme Court Regulation.

Article 19, paragraph (2) letter a of Law No. 31 of 1999 jo. Law No. 20 of 2001 stipulates that third parties acting in good faith whose rights have been harmed by a property seizure decision can file an objection with the corruption court within two months after the court decision is pronounced in an open public hearing. However, this provision lacks detailed procedural rules for its implementation. The Supreme Court made a breakthrough by enacting Regulation No. 2 of 2022, which becomes the basis for regulating the procedure for filing and examining such objections.

Supreme Court Regulation No. 2 of 2022 is not the only regulation issued by the Supreme Court as a legal breakthrough to regulate and change legal practices. Previously, as discussed in the introduction, the Supreme Court issued Regulation No. 1 of 1980, which later became a regulation supplementing procedural law regarding the court's examination of Judicial Review. Over time, the substantive provisions of Supreme Court Regulation No. 1 of 1980 became the precursor to the substantive provisions of the Criminal Procedure Code (KUHAP) on Judicial Review. The formulation of Article 9 of Supreme Court Regulation No. 1 of 1980 was adopted into Articles 263, paragraphs (2) and (3) of KUHAP. Another example is Supreme Court Regulation No. 13 of 2016 on the Procedure for Handling Criminal Cases by Corporations, whose Article 4, paragraph (2) was adopted into Article 48 of the Indonesian Criminal Code (KUHP), concerning corporate criminal liability. In the future, the substance of Supreme Court Regulation No. 2 of 2022 may be adopted into law, such as in the ongoing discussions on criminal procedural law reform in the legislative body.

Supreme Court Regulations, as legal products, are recognized and have binding legal force because they are issued by the Supreme Court based on its authority derived from regulations. Article 24A of the 1945 Constitution of the Republic of Indonesia states that the Supreme Court has the authority to adjudicate at the cassation level, review regulations lower than laws against laws, and exercise other powers granted by law. In Law No. 14 of 1985, as amended by Law No. 5 of 2004 and Law No. 3 of 2009, the powers of the Supreme Court include providing

Table 1.1. Objections to the Seizure of Property in Corruption Cases in the Name of Djoko Susilo

The data in the table is obtained from the SIPP (Case Information Tracking System) of the relevant district courts. In case No. 52/Pdt.G/2016/PN Skt, registered at the Surakarta District Court, the convicted person's wife, Dipta Anindita, along with Lady Diah Hapsari and Poppy Femialya (Djoko Susilo's daughter), filed a lawsuit against the KPK related to the auction of land assets in Solo. There were three plots of land located in Laweyan, Banjarsari, and Jebres. The lawsuit was eventually withdrawn through their legal representative, without disclosing the reason for the withdrawal, other than it being at their request.

Had Supreme Court Regulation No. 2 of 2022 been in effect at that time, the objections to the seizure of property in the SIM simulator corruption case would not have dragged on as shown in the summary in the table above. Objections would no longer need to be filed as lawsuits but in the form of requests, thus eliminating the need for appeals (as seen in cases No. 350/PDT/2017/PT SMG and No. 95/Pdt/2021/PT SMG) or Judicial Review (PK) (as seen in case No. 25 PK/TUN/2020). This Supreme Court Regulation only provides an opportunity for third parties to file objections. The regulation does not grant the convicted party the right to file objections, but Article 4, paragraph (3) stipulates that objections can only be filed once by the same party. Had the rule in Article 4, paragraph (3) existed earlier, Poppy Femialya, Dipta Anindita, and Lady Diah Hapsari should not have been able to file repeated objections, as shown in the table above. In this regard, the author argues that Article 4, paragraph (3) should be interpreted to allow the same petitioner to file different objections concerning different property.

Supreme Court Regulation as a Unifier of Law

The important regulation provided by Supreme Court Regulation No. 2 of 2022 has been outlined above. This regulation has changed the legal practice regarding the protection of third parties' interests concerning seized property in corruption cases. The question arises as to why something so significant, which impacts legal practice

legal opinions, whether requested or not, to other state institutions (Article 37), providing guidance in all judicial environments to implement the provisions of Law No. 48 of 2009 on Judicial Power (Article 38), and issuing further regulations if needed for the smooth running of the judiciary (Article 79).

It is in this context that the Supreme Court issues legal products such as PERMA, SEMA (Supreme Court Circulars), fatwas, and SK KMA (Supreme Court Decrees). A Supreme Court Regulation is essentially a regulation containing procedural law provisions. On the other hand, a Supreme Court Circular (SEMA) is a directive from the Supreme Court to all judicial bodies containing guidance on judicial administration. A Supreme Court Fatwa contains the Supreme Court's legal opinion provided at the request of a state institution. A Supreme Court Decree (SK KMA) is a decree issued by the Chief Justice of the Supreme Court on a particular matter.

As explained above, it shows the position of the Supreme Court Regulation, which is recognized and has binding legal force because it is formed by the Supreme Court based on its authority obtained from regulations. According to Article 32, paragraph (4) of the Supreme Court Law, all judicial bodies are subject to legal products issued by the Supreme Court. Furthermore, Supreme Court Regulations are needed to fill legal gaps, especially in the context of procedural law, to ensure the smooth functioning of the judiciary. Moreover, Jimly Asshiddiqie classifies Supreme Court Regulations as special regulations that are subject to the principle of *lex specialis derogat legi generali*.

By issuing Circular Letters, the Supreme Court also establishes new principles in legal practice. For example, various decisions from the Supreme Court's chambers are part of the legislature's role in maintaining legal unity. The Supreme Court's existence originated from the cassation body in France. Andi Hamzah recounts that cassation (derived from the word *casser*, meaning "to break") was used to maintain legal unity, including to annul a judge's decision. Originally, cassation was held by the king, with his council known as the *counsel du Roi*. After the French Revolution, which overthrew the French monarchy, a special body was formed to preserve legal interpretation, acting as a bridge between lawmakers and the judiciary. This cassation institution was later adopted in the Netherlands and then brought to Indonesia, where it was named "Mahkamah Agung" (Supreme Court). The Supreme Court's role in maintaining legal unity is primarily through the cassation body. Cassation serves as an institution to examine the quality of decisions on which legal remedies have been filed at the Supreme Court, both in terms of the application of law and the legal grounds

provided by the previous court. Through this, the Supreme Court can supervise the application of law in lower courts and ensure consistent legal interpretation throughout Indonesia, thus avoiding various forms of inconsistent rulings.

Good Faith as the Basis for the Acceptance of Requests

In Supreme Court Regulation No. 2 of 2022, the phrase "good faith" becomes significant, as only third parties acting in good faith can have their objections granted. The applicant's entitlement to the property subject to the request, based on good faith, is a requirement that must be proven by the applicant in order for the objection to be accepted. Supreme Court Regulation No. 2 of 2022 defines a third party acting in good faith as a party who can prove that they are the rightful owner, guardian, or curator in a bankruptcy case concerning property that has no legal connection to the commission of the corruption crime.

A person acting in good faith is one who acts honestly, fairly, and without malicious or fraudulent intent in performing a legal act, especially in the context of agreements or transactions. Good faith (Dutch: *goede trouw*; English: *good faith*) is one of the fundamental principles in civil law, particularly in contract law. This principle requires that the parties in a legal relationship behave honestly, openly, and fairly with one another. For example, in a land sale, a buyer acting in good faith is one who does not know of any defects or disputes concerning the land being purchased and has conducted a reasonable check on the validity of the land's ownership.

Good faith can be viewed from two perspectives. First, subjectively, it refers to the intention or purpose of an individual in performing an action. Second, objectively, it refers to how the action is assessed based on standards of propriety and decency. In the context of law, good faith requires individuals to act honestly and fairly in all legal actions they undertake, including in contracts.

Good faith, which serves as the foundation of legal processes, is often overlooked in practice. Although the law assumes good faith, some argue that, in reality, there is a significant gap between idealism and how the legal system functions, with examples of bad faith actions taken by officials and institutions. Some individuals and groups argue that the presumption of good faith is often violated in practice. They may point to examples where officials or institutions act in bad faith, motivated by bias, corruption, or hidden agendas, according to a legal analysis website. This argument may also extend to systemic issues within the legal system, where the presumption of good faith is used to protect powerful interests or justify unfair outcomes, as noted by a legal analysis website. This cynical



view can lead to a loss of trust in the legal system and a perception that the system is not truly neutral or just, according to a legal analysis website.

The criminal justice system deserves to be trusted and respected only if all parties (both men and women) participate in it and act honorably. In reality, however, they often do not, which turns good faith into nothing more than a myth. In the case of a third-party objection to a decision on the seizure of property not belonging to the defendant (in a corruption case), various perceptions and interpretations arise regarding whether there is good faith from the third party, which still creates ambiguity about whether their request will be granted.

4. Conclusion

From the discussion above, regarding the acceptance of objections by third parties acting in good faith against the seizure of property not belonging to the defendant in corruption cases, it can be concluded that the objection procedure outlined in Supreme Court Regulation No. 2 of 2022 provides an opportunity to file such objections. The enactment of Supreme Court Regulation No. 2 of 2022 helps avoid differences in the interpretation and application of the procedure for handling objections. PERMA, in this case, Supreme Court Regulation No. 2 of 2022, has transformed legal practice, making it a unifier of law, which can provide both justice and legal certainty, ensuring that objections to property seizure in corruption cases do not become prolonged.

The existence of "good faith" must be proven, as it is an essential basis for third parties' objections to the seizure of property not belonging to the defendant in corruption cases to be granted by the judge. However, good faith has become almost mythical, creating various perceptions and interpretations regarding the presence or absence of good faith from the third party, which ultimately leads to ambiguity for the judge in granting the request.

5. References

- Ady Thea DA. 2025. "Pembahasan RUU KUHP Dimulai dari Nol." *Hukumonline*. <https://www.hukumonline.com/berita/a/pembahasan-ruu-kuhp-dimulai-dari-nol-lt6791d2f618bd4/>. Diakses 14 Maret 2025.
- Antara News. 2016. "Istri Djoko Susilo Cabut Gugatan Terhadap KPK." *KPK*. <https://www.antaranews.com/berita/561685/istri-djoko-susilo-cabut-gugatan-terhadap-kpk>.
- Cohen, Andrew. 2015. "The Myth of Good Faith in Our Legal System." *The Week*. <https://theweek.com/articles/446726/myth-good-faith-legal-system>. Diakses 26 Juli 2025.

- Efendi, Jonaedi dan Johnny Ibrahim. 2016. *Metode Penelitian Hukum Normatif & Empiris*. Jakarta: Kencana.
- Fadhilah, Muhammad Iqbaal. 2020. "Perlindungan Hukum Terhadap Pembeli Lelang yang Beritikad Baik." *Direktorat Jenderal Kekayaan Negara*. <https://www.djkn.kemenkeu.go.id/kpknl-gorontalo/baca-artikel/13352/PerlindunganHukum-Terhadap-Pembeli-Lelang-yang-Beritikad-Baik.html>. Diakses 25 Juli 2025.
- Fahmi, Ismail. 2013. "Comblangi Djoko Susilo dengan Dipta, Ledy Dikasih Rumah." *Bisnis.com*. <https://kabar24.bisnis.com/read/20130716/16/151181/comblangi-djoko-susilo-dengan-dipta-ledy-dikasih-rumah>. Diakses 25 Februari 2025.
- Hamzah, Andi. 2008. *Hukum Acara Pidana Indonesia*. Edisi II. Jakarta: Sinar Grafika.
- Harahap, Yahya. 2016. *Hukum Acara Perdata: Tentang Gugatan, Persidangan, Penyitaan, Pembuktian, dan Putusan Pengadilan*. Jakarta: Sinar Grafika.
- Hasan, Usman. 2012. "Legenda Sengkon dan Karta." *Jendela Sastra*. <http://www.jendelasastra.com/wawasan/kritik/legenda-sengkon-dan-karta>. Diunggah 29 Juli 2012, diunduh 25 Februari 2025.
- Ibrahim, Johnny. 2008. *Teori & Metodologi Penelitian Hukum Normatif*. Cetakan IV. Surabaya: Banyumas Publishing.
- Indonesia. 1981. *Kitab Undang-Undang Hukum Acara Pidana (KUHP)*. Lembaran Negara Tahun 1981 Nomor 76, Tambahan Lembaran Negara Nomor 3209.
- . 1999. *Undang-Undang Pemberantasan Tindak Pidana Korupsi*. Undang-Undang No. 31 Tahun 1999, LN 1999/140, TLN 3874.
- . 2001. *Undang-Undang Perubahan atas Undang-Undang No. 31 Tahun 1999 tentang Pemberantasan Tindak Pidana Korupsi*. Undang-Undang No. 20 Tahun 2001, LN 2001/134, TLN 4150.
- . 2009. *Undang-Undang Kekuasaan Kehakiman*. Undang-Undang No. 48 Tahun 2009, LN 2009/157, TLN 5076.
- . 2023. *Kitab Undang-Undang Hukum Pidana*. Undang-Undang No. 1 Tahun 2023, LN 2023/1, TLN 6842.
- Jayanti, Pupung Faisal dan Artaji Dian Dwi. 2022. "Perlindungan Hukum Bagi Pihak yang Beritikad Baik dalam Perjanjian Apabila Terdapat Unsur Penyalahgunaan Keadaan (Misbruik van Omstandigheden)." *Jurnal Ilmiah Indonesia* 7(9): 15391-15403.
- Kohanzad, Rad. 2018. "Bad Faith = The Absence of Good Faith." *LinkedIn*. <https://www.linkedin.com/pulse/bad-faith-absence-good-rad-kohanzad/>. Diakses 26 Juli 2025.
- Lembaga Kajian dan Advokasi untuk Independensi Peradilan (LeIP). 2010. *Pembatasan Perkara*. Jakarta: LeIP.
- Mahkamah Agung. 1980. *Peraturan Mahkamah Agung*



- Nomor 1 Tahun 1980.
- . 2016. *Peraturan tentang Tata Cara Penanganan Perkara Tindak Pidana oleh Korporasi*. Peraturan No. 13 Tahun 2016, BNRI 2016/2058.
- . 2021. *Putusan Mahkamah Agung No. 97 PK/Pid.Sus/2021*.
- . 2022. *Peraturan tentang Tata Cara Penyelesaian Keberatan Pihak Ketiga yang Beriktikad Baik terhadap Putusan Perampasan Barang Bukan Kepunyaan Terdakwa dalam Perkara Tindak Pidana Korupsi*. Peraturan No. 2 Tahun 2022. BNRI 2022/534.
- Marzuki, Peter Mahmud. 2006. *Penelitian Hukum*. Edisi I, Cetakan II. Jakarta: Kencana.
- Nursobah, Asep. 2021. "Implementasi Sistem Kamar pada Mahkamah Agung." *Kepaniteraan Mahkamah Agung*.
<https://kepaniteraan.mahkamahagung.go.id/sistem-kamar/sejarah-sistem-kamar>. Diakses 25 Februari 2025.
- Pakpahan, Muchtar dan Emmy Tambunan. 2010. *PK Jaksa versus Negara Hukum (Bagian Kedua: Analisis Hukum Kasus DR. Muchtar Pakpahan, S.H., M.A.)*. Jakarta: Bumi Intitama Sejahtera.
- Pangaribuan, Luhut M. P. 2009. *Lay Judges dan Hakim Ad Hoc (Suatu Studi Teoritis Mengenai Sistem Peradilan Pidana Indonesia)*. Disertasi. Jakarta: Fakultas Hukum Universitas Indonesia.
- Pengadilan Negeri Jakarta Pusat. 2013. *Putusan No. 20/PID.SUS/TPK/2013/PN.JKT.PST*.
- Pengadilan Tinggi Bandung. 1978. *Putusan Nomor 38/Pid/1978/PTB*.
- Pengadilan Tinggi DKI Jakarta. 2013. *Putusan No. 36/PID.TPK/2013/PT DKI*.
- Prasetyo, Teguh. 2019. *Penelitian Hukum (Suatu Perspektif Teori Keadilan Bermartabat)*. Bandung: Nusa Media.
- Putro, Widodo Dwi, Ahmad Zuhairi, Khotibul Islam, Rina Khairani Pancaningrum. 2020. "Perlindungan bagi Pembeli Beritikad Baik dalam Sengketa Perdata Berobyek Tanah." *Jurnal Kompilasi Hukum* 5(2): 346-355.
- Rastika, Icha. 2013. "Kenalkan Djoko dengan Dipta, Wanita Ini Dapat 'Hadiah' Rumah." *Kompas.com*.
<https://nasional.kompas.com/read/2013/07/16/1607022/Kenalkan.Djoko.dengan.Dipta.Wanita.Ini.Dapa.t.Hadiah.Rumah>. Diakses 25 Februari 2025.
- Susanti, Dyah Ochtorina dan A'an Efendi. 2013. *Penelitian Hukum (Legal Research)*. Jakarta: Sinar Grafika.
- Yasin, Muhammad. 2023. "Kekuatan Hukum Produk-produk Hukum Mahkamah Agung (Perma, SEMA, Fatwa, SK KMA)." *Hukumonline*.
<https://www.hukumonline.com/klinik/detail/cl6102/kekuatan-hukum-produk-produk-hukum-ma-perma--sema--fatwa--sk-kma>. Diakses 28 November 2018.

