

## ABSTRAK

Nama: Luat Hasibuan  
Jumlah halaman: 115 halaman  
Judul: Upaya Penyelesaian Hukum Sengketa Sita Umum Pailit Diletakkan atas Sita Pidana (Putusan Nomor 1533 K/Pdt.Sus-Pailit/2017 jo Putusan Nomor 16/Pdt.Sus-Ggl/2017/PN.Niaga Jkt.Pst)  
Jumlah buku: 50 buku / Tahun 1984 - Tahun 2012

Sita pidana berdasarkan ketentuan Pasal 39 ayat (2) KUHAP tersebut dengan penjelasan sita pailit berdasarkan ketentuan Pasal 31 ayat (2) UUK-PKPU tersebut di atas, terjadi permasalahan hukum apabila terhadap objek sita pailit diletakkan juga sita pidana melalui penetapan pengadilan yang mengakibatkan terjadinya sengketa di Pengadilan. Rumusan masalah dalam tesis ini mengenai upaya hukum yang dilakukan Kurator terhadap objek pailit yang diletakkan sita pidana dan pelaksanaan sita pidana atas sita umum pailit dalam Putusan Perkara Nomor 1533 K/Pdt.Sus-Pailit/2017 Jo Putusan Nomor 16/Pdt.Sus-GGL/2017/PN.Niaga.Jkt.Pst. Metode yang digunakan dalam penelitian ini adalah penelitian hukum normatif yang dilakukan sebagai upaya untuk mendapatkan data yang diperlukan sehubungan dengan permasalahan. Data yang digunakan adalah data sekunder dan bahan hukum tersier. Untuk analisis data dilakukan dengan metode analisis yuridis kualitatif untuk mendapat hasil penelitian tentang upaya hukum yang dilakukan Kurator terhadap objek pailit yang diletakkan sita pidana yaitu mengajukan gugatan pembatalan penyitaan (Penetapan Ketua Pengadilan) atas objek boedel pailit ke Pengadilan Niaga di Pengadilan Negeri. Pelaksanaan sita pidana atas sita umum pailit dalam Putusan Perkara Nomor 1533 K/Pdt.Sus-Pailit/2017 Jo Putusan Nomor 16/Pdt.Sus-GGL/2017/PN.Niaga Jkt.Pst telah menimbulkan kerugian bagi pihak Kurator dalam melakukan pengurusan dan pemberesan boedel pailit untuk kepentingan kreditor.

Kata Kunci: Sita umum, Sita Pidana, Pailit

## **ABSTRACT**

*Name:* Luat Hasibuan  
*Number of pages:* 115 pages  
*Title:* *Legal Efforts to Settle Bankrupt General Confiscation Disputes on Criminal Confiscation (Decision Number 1533 K/Pdt.Sus-Pailit/2017 in conjunction with Decision Number 16/Pdt.Sus-Ggl/2017/PN.Niaga Jkt.Pst)*  
*Number of books:* 50 books / Year 1984 - Year 2012

*Criminal confiscation based on the provisions of Article 39 paragraph (2) of the Criminal Procedure Code with an explanation of bankruptcy confiscation based on the provisions of Article 31 paragraph (2) of the UUK-PKPU mentioned above, legal problems will occur if the object of bankruptcy confiscation is also placed with criminal confiscation through a court order which results in a dispute. in the court. The formulation of the problem in this thesis is regarding the legal remedies taken by the Curator against the object of bankruptcy placed for criminal confiscation and the implementation of criminal confiscation for general bankruptcy in the Decision of Case Number 1533 K/Pdt.Sus-Pailit/2017 Jo Decision Number 16/Pdt.Sus-GGL /2017/PN.Niaga Jkt.Pst. The method used in this research is normative legal research which is carried out in an effort to obtain the necessary data in connection with the problem. The data used are secondary data and tertiary legal materials. The data analysis was carried out using a qualitative juridical analysis method to obtain the results of research on legal remedies taken by the Curator against the object of bankruptcy which was placed under criminal confiscation, namely filing a lawsuit for the cancellation of the confiscation (Determination of the Chairperson of the Court) on the object of bankruptcy to the Commercial Court at the District Court. The implementation of criminal confiscation of general bankruptcy in the Decision of Case Number 1533 K/Pdt.Sus-Pailit/2017 in conjunction with Decision Number 16/Pdt.Sus-GGL/2017/PN.Niaga Jkt.Pst has caused losses to the Curator in managing and settlement of bankrupt accounts for the benefit of creditors.*

*Keywords:* *General confiscation, Criminal confiscation, Bankruptcy*