ABSTRACTION

The existence of substantive criminal law enforcement is the extent which a judgement that has been legally binding (Inkracht Judgement) can be carried out quickly and precisely by the prosecutor as executor. There is an opinion that questioned the validity of the Inkracht Judgement that doesn’t include a restraining order in accordance with Article 197 paragraph (1) letter k KUHAP jo. Article 197 paragraph (2) KUHAP and declare the judgement is null and void, therefore can’t be executed. The opinion results the absence of legal certainty regarding the execution of the null and void Inkracht Judgement. It is necessary to take discussion of the applicability of Article 197 paragraph (1) letter k KUHAP in order to avoid misinterpretation and provide certainty whether can or not the Prosecutor execute the null and void Inkracht Judgement.

Keywords: Execution, Attorney, Judgement Inkracht, Null and Void