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Article

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Protection for Victims of Unilateral Marriage Annulment from the Perspective of Indonesian Criminal Law

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Abstract

This study analyzes whether unilateral wedding cancellation qualifies as fraud under Law Number 1 of 2023, the new Indonesian Criminal Code. Often dismissed as a mere civil dispute, this phenomenon, marked by deception and a series of lies, inflicts significant material and immaterial losses, particularly upon women. Consequently, there is an urgent need to re-examine the construction of criminal liability for perpetrators within the framework of modern criminal law. Employing a normative-juridical approach, this research utilizes statutory, conceptual, and legal content analyses to evaluate relevant materials. The study demonstrates that unilateral marriage cancellation can indeed be qualified as a criminal act of fraud when it is proven that the perpetrator had an initial intention to benefit unlawfully from the victim through deceit or false statements. Furthermore, the research underscores that criminal law protection for female victims must extend beyond mere prosecution. An ideal framework requires a holistic, victim-oriented approach that integrates restitution, psychological rehabilitation, professional legal assistance, and a gender-sensitive lens throughout the criminal justice process. This work's novelty lies in its specific framing of marriage cancellation as fraud within the context of personal relationships under the National Criminal Code. Ultimately, this study aims to shift the legal paradigm, strengthening substantive protections for female victims and ensuring that such betrayals are addressed with the appropriate weight of criminal accountability in Indonesia.

A. Introduction

Marriage is a social and legal institution that concerns not only the personal relationship between a man and a woman, but also the honor, dignity, psychological well-being, and social status of the parties involved.[1] In the context of Indonesian society, wedding ceremonies have such strong cultural, religious, and social dimensions that a unilateral cancellation of a wedding, especially when done just before the wedding ceremony or reception, often has far-reaching consequences for the victims, particularly women. Not only does it result in material losses in the form of costs for party preparations, venue rental, catering, documentation, and traditional ceremonial items, but such actions also cause immaterial losses such as shame, psychological distress, damage to the family's reputation, and even prolonged social trauma. In practice, unilateral wedding cancellations are often carried out through a series of lies,

[1] Umar Haris Sanjaya dan Aunur Rahim Faqih, *Hukum Perkawinan Islam*, 1 ed. (Gama Media Yogyakarta, 2017).

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identity manipulation, false promises, or specific deceptions that from the outset indicate bad faith on the part of the perpetrator.[2]

The phenomenon of unilateral wedding cancellations is gaining increasing public attention due to a rise in cases that have gone viral in both traditional and social media. One such case occurred in Probolinggo, where a groom-to-be called off the wedding two days before the reception, causing the bride's family to suffer significant financial losses and file a lawsuit seeking billions of rupiah in damages.[3] This case demonstrates that the victim suffered not only financial losses but also psychological and social distress due to the shame she felt within the community. Another case involved a police officer who was reported for unilaterally calling off a wedding after the bride had completed all the preparations.[4] These incidents reveal a pattern of unequal relationships, in which women are often placed in a vulnerable position due to the manipulative actions of prospective partners who exploit the victims' trust for their own personal gain.

Normatively speaking, Indonesian marriage law does indeed provide for the annulment of a marriage under certain conditions, as stipulated in Law No. 16 of 2019 Amending Law No. 1 of 1974 on Marriage.[5] However, these regulations focus more on the civil and administrative validity of the marriage rather than on criminal protection for victims who have suffered losses due to fraud prior to the marriage. As a result, victims of unilateral marriage annulment are often directed to resolve the matter through civil litigation, even though, under certain circumstances, the perpetrator's actions may constitute the elements of the criminal offense of fraud.[6] This issue is significant because not all marriage annulments can be viewed as purely private matters, especially if the perpetrator has, from the outset, used a false identity, false promises, or deception to gain certain benefits from the victim or their family.

From a criminal law perspective, acts committed through a series of lies to induce a person to hand over property or incur certain expenses may be classified as the criminal offense of fraud. This provision is explicitly outlined in Article 492 of Law of the Republic of Indonesia No. 1 of 2023 on the Criminal Code, which states that any person who, with the intent to unlawfully benefit themselves or another person by using a false name or false status, employs deceit or a series of false statements to induce a person to surrender property, grant a loan, make an acknowledgment of debt, or discharge a debt, shall be punished for fraud. This provision indicates that the primary element of fraud lies in the intent to benefit oneself through deception that causes the victim to suffer a loss.[7]

The central legal problem, however, lies in the absence of a clear boundary between a relationship that merely fails and a relationship that is used as an instrument of fraud. A

[2] Barzah Latupono Zulvira Zalleh Bairatnissa Sabri Fataruba, *Akibat Hukum Pembatalan Pelaksanaan Perkawinan Secara Sepihak*, 2, no. 4 (2022), https://doi.org/https://doi.org/10.47268/tatohi.v2i4.1099.

[3] Kompas.tv, *Heboh Pria di Probolinggo Batalkan Nikah H-2, Resepsi Diganti Tasyakuran, Digugat Kekasih Rp3 Miliar*, 2023, https://www.kompas.tv/regional/370171/heboh-pria-di-probolinggo-batalkan-nikah-h-2-resepsi-diganti-tasyakuran-digugat-kekasih-rp3-miliar?page=all#goog_rewarded.

[4] Rizky Pratama, "Briptu AA Disomasi Calon Istri Usai Batalkan Pernikahan Sepihak," *Koran Manado*, 2026, https://www.koranmanado.co.id/briptu-aa-disomasi-batal-nikah.

[5] Dido Oksi Sugiarto dan Sulistiyono, "Efektivitas Undang–Undang Nomor 16 Tahun 2019 tentang Perkawinan terhadap dengan Dispensasi Kawin," *Indonesian Journal of Law and Justice* 1, no. 3 (2024): 8, https://doi.org/10.47134/ijlj.v1i3.2122.

[6] Vania Madeline Jevera dkk., "Pertanggungjawaban Hukum Pengingkaran Janji Kawin," *TANJUNGPURA LAW JOURNAL* 6, no. 2 (2022): 195, https://doi.org/10.26418/tlj.v6i2.52529.

[7] Eddy O. S. Hiariej dan Topo Santoso, *Anotasi KUHP Nasional*, Cetakan ke-3 (Rajawali Pers, 2025).

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promise to marry is not an enforceable obligation, and the consent of both parties to marry must be given freely. Withdrawing from an intended marriage, even shortly before the ceremony and even when it causes serious hurt and expense, is therefore not in itself unlawful, let alone criminal. Yet the same outward fact, namely that the wedding does not take place, also appears in cases where the promise of marriage was only a pretext to obtain money, goods, or other benefits from the victim and her family. The debate in doctrine and practice is thus whether a unilateral cancellation should be classified as (i) a failed relationship with moral consequences only, (ii) a breach of promise or an unlawful act to be settled through civil litigation, or (iii) fraud under Article 492 of the National Criminal Code. Because the three situations look identical from the outside, law enforcement officials struggle to determine where a civil dispute ends and a criminal offense begins, and reports are frequently redirected to civil claims, as in the Probolinggo case. [8]

Furthermore, legal protections for female victims in such cases remain relatively weak. Victims often face social stigma because society tends to view the annulment of a marriage as a family disgrace. In many cases, women are the ones who suffer the most, as they must endure psychological pressure and a decline in their social standing. It is not uncommon for victims to experience depression, a loss of self-confidence, and difficulty forming new social relationships due to the trauma they have endured. Yet, within the modern legal framework, the protection of victims is a crucial component of the criminal justice system. Criminal law does not merely serve to punish perpetrators; it must also provide for the restoration and protection of victims.

The urgency of this research lies in the need to provide legal certainty regarding the phenomenon of unilateral marriage annulment involving elements of fraud. To date, there has been no study specifically analyzing the relationship between the methods of unilateral marriage annulment and the legal framework for the crime of fraud under the new National Criminal Code. In fact, the enactment of the National Criminal Code through Law No. 1 of 2023 has introduced a new paradigm in the reform of Indonesian criminal law, one that is more oriented toward victim protection and substantive justice. Therefore, it is important to examine the extent to which the provisions of Article 492 of the National Criminal Code can be applied to perpetrators of unilateral marriage annulment who use deceit to obtain certain benefits.

This research is also important because societal developments show that the methods of fraud are becoming increasingly diverse and are no longer limited to conventional economic relationships. Personal and emotional relationships can now also serve as a means for committing fraud. In this context, the promise of marriage can be used as a tool of manipulation to obtain financial gain, benefits, or specific advantages from the victim. If criminal law fails to address these evolving criminal methods, there will be a gap in legal protection for victims, particularly women in vulnerable positions.

The solution proposed in this study is to establish a criminal law framework capable of classifying the unilateral annulment of a marriage carried out through deception as a criminal act of fraud under Article 492 of the National Criminal Code. Additionally, this study proposes strengthening criminal law protections for victims through an approach that focuses not only

[8] Vivi Elizabeth dan Ade Adhari, "Kepastian Hukum Akibat Kelalaian Jaksa Penuntut Umum: Analisis Putusan Pengadilan Negeri Ngabang No. 48/Pid.Sus/2019/PN.Nba," *Jurisprudensi: Jurnal Ilmu Syariah, Perundang-Undangan dan Ekonomi Islam* 16, no. 1 (2024): 99–114, https://doi.org/10.32505/jurisprudensi.v16i1.5735.

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on punishing the perpetrator but also on restoring the victims' rights. Such protection may take the form of restitution for material losses, psychological recovery, legal assistance, and recognition of the victim's non-material suffering within the criminal justice process. Thus, criminal law serves not only a repressive function but also a responsive one to the needs of victims.

One of the previous studies relevant to this research was conducted by Hiola.[9] This study examines the implementation of Law No. 16 of 2019 regarding the annulment of marriage due to a mistake of fact involving fraud concerning the spouse's identity. The primary focus of this study lies in the legal aspects of marriage, particularly regarding the annulment of marriage due to a mistake of fact or fraud concerning the spouse's identity. This study has the merit of explaining the mechanism for annulling a marriage based on positive law and providing an understanding of the element of misrepresentation in marital relationships. Additionally, the study offers insight into how marriage law addresses discrepancies in a spouse's identity or factual information.

However, Hiola's study still has limitations because it focuses primarily on civil law and marriage administration. The study has not thoroughly examined the criminal law dimensions of fraudulent acts committed prior to the marriage. Furthermore, the study focuses more on the annulment of marriages that have already taken place, rather than on unilateral annulments before the marriage ceremony or reception, which cause significant harm to the victim. Consequently, the protection of victims from a criminal law perspective has not been comprehensively analyzed.

Another relevant study was conducted by Nabila[10] which examines the legal consequences of identity fraud and the annulment of marriage from the perspective of the Compilation of Islamic Law through a study of religious court rulings. This research has the merit of elucidating the relationship between identity fraud and the validity of marriage from the perspective of Islamic law and family law in Indonesia. Furthermore, the study provides a concrete analysis of court rulings, thereby illustrating the application of the law in judicial practice.

However, Nabila's research is also limited to the aspect of marriage annulment within the scope of family law and the Compilation of Islamic Law. The study has not addressed the criminal liability of perpetrators who engage in identity manipulation or deception before marriage. Furthermore, the research focuses more on the legal consequences regarding marital status rather than on protecting female victims who suffer psychological, social, and economic harm due to unilateral marriage annulment.

Based on the above discussion, this study has both differences and advantages compared to previous research. This study not only discusses marriage annulment from a family law perspective but specifically examines unilateral marriage annulment as a form of criminal fraud under the National Criminal Code. This study also seeks to address gaps not

[9] Rahmat Budiyanto Hiola dkk., "Implementasi Uu No 16 Tahun 2019 Tentang Pembatalan Perkawinan Akibat Salah Sangka Yang Terdapat Unsur Penipuan Mengenai Diri Pasangan," *Journal of Comprehensive Science (JCS)* 2, no. 5 (2023): 1185–92, https://doi.org/10.59188/jcs.v2i5.335.

[10] Adinda Nabila dkk., "Akibat Hukum Terhadap Pemalsuan Identitas Dan Pembatalan Perkawinan Ditinjau Dari Kompilasi Hukum Islam (Studi Putusan Nomor 3109/Pdt.G/2023/PA.Mdn.)," *Jurnal Ilmiah Mahasiswa Fakultas Hukum Universitas Malikussaleh* 8, no. 3 (2025), https://doi.org/10.29103/jimfh.v8i3.23372.

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yet examined in previous research, namely regarding the construction of criminal liability for perpetrators of unilateral marriage annulment who use deception, as well as the ideal form of criminal law protection for female victims. Thus, this study is expected to provide a theoretical contribution to the development of national criminal law as well as a practical contribution to law enforcement officials in handling similar cases.

This study aims to analyze the legal classification of unilateral marriage annulment on the wedding day as a form of criminal fraud under the provisions of the National Criminal Code in Law No. 1 of 2023, as well as to analyze the ideal form of criminal law protection for female victims regarding the losses resulting from this unilateral marriage annulment scheme.

B. Methodology

The research method used in this study is normative-legal research employing a statutory approach and a conceptual approach.[11] The legal approach involves an examination of various legal provisions related to the criminal offense of fraud, victim protection, and regulations regarding the annulment of marriage in the National Criminal Code, the Marriage Law, and other relevant regulations. Meanwhile, the conceptual approach is used to analyze the concept of fraud, criminal law protection, and the position of victims within the criminal justice system. The analytical framework in this study employs legal content analysis to identify the substance of relevant legal norms, systematic interpretation to understand the interrelationships among legal provisions comprehensively, and comparative analysis to compare the regulation and application of legal norms in various cases related to unilateral marriage annulment.[12] Legal sources consist of primary, secondary, and tertiary legal materials selected based on their relevance, authority, and connection to the research focus. Primary legal materials, such as legislation and court decisions, were analyzed in depth, while secondary legal materials, including academic journals, books, and previous research findings, were used to strengthen the theoretical arguments. All legal sources are then critically evaluated and systematically synthesized to arrive at a comprehensive legal framework regarding the criminal qualifications of fraud in unilateral marriage annulments, as well as the ideal form of criminal legal protection for female victims.[13]

C. Results and Discussion

The Qualification of Unilateral Marriage Annulment on the Wedding Day as a Form of Fraud Under the Criminal Code

Unilateral wedding cancellations on the day of the ceremony are a phenomenon that is becoming increasingly common in Indonesian society and gives rise to complex legal issues. In practice, such actions are not viewed merely as matters of morality, ethics, or personal relationships; they can also result in legal consequences if carried out through a series of lies, deceit, or manipulation that cause the victim to suffer material or non-material losses. Generally, the victims in cases of unilateral marriage cancellation are women who have prepared the entire wedding ceremony, incurred significant expenses, and bear the

[11] Masidin H. Moh. Askin, *Penelitian Hukum Normatif: Analisis Putusan Hakim*, 1 (Prenada Media, 2023).
[12] *Pengantar metode penelitian hukum*, Edisi Revisi. Cetakan ke-11, Januari 2020, with Amiruddin dan Zainal Asikin (Rajawali Pers, 2020).
[13] Fathurrahim dan Tri Syafari, "Building Law Enforcement with Character Ulil Albab: Reflection of Godly Values in The National Legal System," *Journal of Legal Contemplation* 1, no. 2 (2025): 84–95, https://doi.org/10.63288/jlc.v1i2.8.

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psychological and social burden resulting from the cancellation.[14] Under certain circumstances, the perpetrator's actions may even indicate a malicious intent from the outset to exploit the victim's trust for personal gain. Therefore, a criminal law analysis is necessary to determine whether such unilateral annulment of a marriage can be classified as a criminal offense of fraud under the provisions of Law of the Republic of Indonesia No. 1 of 2023 on the Criminal Code.

Conceptually, Indonesian criminal law adheres to the principle that not all harmful acts are punishable by law. An act can only be classified as a criminal offense if it meets the elements specified in the law.[15] In the context of unilateral annulment of marriage, not all annulments can automatically be considered criminal acts of fraud. The law must still distinguish between annulments that occur due to objective reasons, compelling circumstances, or personal incompatibility, and those that are carried out from the outset through manipulation and deceit to gain an advantage over the victim. Thus, an analysis of the elements of the criminal offense is essential to determine the boundary between private disputes and the criminal offense of fraud.

In the Law of the Republic of Indonesia No. 1 of 2023 on the Criminal Code, the crime of fraud is regulated in Article 492, which states that any person who, with the intent to unlawfully benefit themselves or another person by using a false name or false position, employs deceit or a series of false statements to induce another person to hand over property, grant a loan, make an acknowledgment of debt, or discharge a debt, shall be punished for fraud. This provision indicates that the criminal offense of fraud has several key elements, namely the intent to benefit oneself or another person unlawfully, the use of a false name, false status, deceit, or a series of lies, and the victim's action of being induced to hand over something as a result of those lies.[16]

When it comes to unilateral annulment of marriage, the first element that must be analyzed is the existence of an intent to unlawfully benefit oneself or another person. This element relates to the perpetrator's intent to obtain a specific benefit through the relationship established with the victim. In practice, such benefits do not always take the form of direct monetary gain, but may include privileges, financial assistance, gifts, funding for wedding preparations, loans, or certain social benefits. The perpetrator often exploits the trust of the victim and their family by pretending to have good intentions to marry, even though they knew from the start that the marriage would not take place. In such circumstances, the personal relationship established by the perpetrator is actually a means to gain benefits through emotional manipulation.[17]

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[14] Nurul Alaina dan Syaddan Dintara Lubis, "Akibat Hukum Pembatalan Pelaksanaan Perkawinan Secara Sepihak Oleh Calon Pengantin (Studi Putusan Pengadilan Tinggi Kupang Nomor 14/PDT/2023/PT KPG)," *Keadilan* 23, no. 3 (2025): 248–68, https://doi.org/10.37090/keadilan.v23i3.2854.

[15] Barda Nawawi Arief, *Bunga rampai kebijakan hukum pidana: perkembangan penyusunan konsep KUHP baru*, Ed. 1., cet. 1 (Kencana, 2008).

[16] Arni Yusuf dkk., "Disparitas Putusan Hakim Dalam Tindak Pidana Penipuan Dan Implikasinya Terhadap Kepastian Hukum," *SINERGI : Jurnal Riset Ilmiah* 2, no. 2 (2025): 836–48, https://doi.org/10.62335/sinergi.v2i2.923.

[17] Aufi Imaduddin dkk., "Ghosting Pasca Peminangan/Khitbah Menurut Hukum Perdata Indonesia dan Hukum Islam," *The Indonesian Journal of Islamic Law and Civil Law* 2, no. 2 (2021): 170–84, https://doi.org/10.51675/jaksya.v2i2.167.

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The benefits gained by the perpetrator in cases of unilateral marriage cancellation may also take the form of exploiting the preparation costs borne by the victim. It is not uncommon for the perpetrator to ask for financial assistance, take advantage of the victim's family's resources, or enjoy various forms of gifts during the wedding preparation process. Once all preparations are complete and the victim is in a position where it is impossible to recoup the expenses already incurred, the perpetrator unilaterally cancels the marriage. Such actions demonstrate a causal relationship between the perpetrator's deception and the harm suffered by the victim. Nevertheless, this does not mean that every unilateral annulment of a marriage, or every financial loss that follows it, constitutes the criminal offense of fraud. Criminal liability under Article 492 of the National Criminal Code arises only when all of its statutory elements are fulfilled: an intent to unlawfully benefit oneself or another person; the use of a false name, false status, deceit, or a series of false statements; and a causal link between those means and the victim's act of handing over property or incurring a financial obligation. Where a marriage is called off because of a change of heart, family disagreement, or personal incompatibility, the resulting financial loss remains, in principle, a private matter that is resolved through civil remedies. The legal question is therefore not whether the annulment is morally wrongful, but at what point it crosses the threshold into a criminal offense.

The second key element of the crime of fraud is the use of a false name, a false title, deception, or a series of lies.[18] In the context of unilateral marriage annulment, this element can be observed through various forms of manipulative behavior on the part of the perpetrator. For example, the perpetrator may claim to have a certain job, social status, or financial standing, or may conceal the fact that they already have another partner. The perpetrator may also make false promises regarding their serious intent to marry to convince the victim and their family. In some cases, the perpetrator even deliberately involves the extended family and social circle to create the impression that the marriage will indeed take place, thereby making the victim increasingly trust the perpetrator's good intentions.

Deceptive tactics in cases of unilateral marriage cancellation are not always overt, but are often carried out systematically and persistently. The perpetrator builds an emotional bond with the victim over a period of time, gets engaged, sets a wedding date, and even becomes involved in all the preparations for the event. This series of actions creates a belief in the victim that the marriage will indeed take place. Once the victim has fully entrusted their trust, money, and preparations to the perpetrator, the perpetrator cancels the wedding without a valid reason. From a criminal law perspective, this pattern of behavior can be categorized as a series of lies that constitute fraud.[19]

The next element is that the victim was induced to hand over property or make a specific payment as a result of the perpetrator's deception.[20] In cases of unilateral wedding cancellations, the victim has typically incurred significant expenses for wedding-related needs,

[18] Alwan Hadiyanto dkk., "Tipu Muslihat dalam Perspektif Hukum Pidana: Analisis Penalaran Yuridis Hakim dalam Menentukan Unsur Penipuan," *Jurnal Usm Law Review* 8, no. 2 (2025): 836–48, https://doi.org/10.26623/julr.v8i2.12062.

[19] Aina Aurora Mustikajati dan Sulistyanta Sulistyanta, "Pertanggungjawaban Pidana Pelaku Tindak Pidana Penipuan Online Berdasarkan Perspektif KUHP dan Undang-Undang Informasi dan Transaksi Elektronik," *Politika Progresif : Jurnal Hukum, Politik dan Humaniora* 1, no. 2 (2024): 156–69, https://doi.org/10.62383/progres.v1i2.256.

[20] Peter Jeremiah Setiawan, "Sistem Pemulihan Kerugian Integratif Bagi Korban Penipuan Skala Masif di Indonesia," *Kertha Patrika* 42, no. 3 (2020): 230, https://doi.org/10.24843/KP.2020.v42.i03.p02.

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such as venue rental, catering, traditional attire, decorations, photography, invitations, and traditional and religious fees. These expenses were incurred because the victim believed the wedding would proceed as planned. Thus, there is a direct link between the perpetrator's manipulative actions and the losses suffered by the victim. It must be emphasized, however, that financial loss alone does not satisfy this element. Article 492 requires a causal chain in which the deception induces the victim to hand over property or incur an obligation, and in which the perpetrator or another person obtains an unlawful benefit. Expenses paid to third parties, such as venue, catering, or attire vendors, constitute a loss for the victim, but they become relevant to fraud only if it is proven that they were incurred because of the perpetrator's deceit and that such deceit was aimed at an unlawful benefit. If the loss is merely a consequence of a failed marriage plan, it does not fulfill the element of fraud and must be pursued through civil mechanisms.

The losses incurred in cases of unilateral marriage annulment are not only material but also immaterial. Immaterial losses such as shame, psychological distress, emotional trauma, and damage to the family's reputation are tangible consequences that are often far more severe than economic losses. In Indonesian society, which still has a strong communal culture, the cancellation of a wedding on the day of the ceremony is often viewed as a social disgrace that befalls not only the victim but also her family. The female victim often becomes the target of social stigma and is blamed for the failure of the marriage even though she is the one who has been wronged.

From a victimology perspective,[21] Women in cases of unilateral marriage annulment are in a vulnerable position as victims because they experience multiple forms of victimization. First, victims suffer direct harm as a result of the perpetrator's actions. Second, victims face social pressure from their community. Third, victims often do not receive adequate legal protection because such cases are considered private matters. As a result, victims struggle to obtain justice, both socially and legally.

The new National Criminal Code actually provides greater latitude for interpreting the crime of fraud in a contextual manner in line with societal developments. Fraud is no longer understood narrowly only in the context of commercial relationships or conventional economic transactions, but may also encompass personal relationships exploited to obtain unlawful gains. Thus, the act of unilaterally annulling a marriage through a series of lies may be construed as a criminal act of fraud if it meets the elements specified in Article 492 of the Criminal Code.[22]

However, the application of the fraud provision to unilateral marriage annulments must be carried out with caution so that not every failed relationship is criminalized. Under the principle of legality, a person may be punished only for conduct that fulfills every element of a statutory offense, and the use of analogy to establish a criminal act is prohibited. Consequently, a unilateral annulment, and the financial loss it causes, is not automatically fraud. Each element of Article 492 must be proven: the intent to unlawfully benefit oneself or another, the deceptive means used, and the causal relationship between those means, the

[21] Calvin Kristianto Bintang Tommy Rizaldy, *Peran Viktimologi dalam Reformasi Hukum Pidana di Indonesia*, 2, no. 3 (2025), https://ejournal.uhb.ac.id/index.php/korisa/article/view/1978.

[22] Ifahda Pratama Hapsari Muhammad Ardiansyah Satria Dwi Putra, *Implikasi Sanksi Pemidanaan di Dalam KUHP Baru Terhadap Delik Penipuan Transaksi Secara Online*, 7, no. 3 (2025), https://doi.org/https://doi.org/10.31933/unesrev.v7i3.2406.

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victim's act of handing over property, and the resulting loss. Crucially, the malicious intent must already exist at the time the promise of marriage was made or the benefit was obtained. A decision to withdraw made later, even if it is hurtful and costly, is a breach of promise or an unlawful act under civil law, not fraud. If any one element cannot be proven, the case falls outside Article 492, and the victim should be directed to civil remedies, while criminal law remains an *ultimum remedium*. Law enforcement officials must therefore carefully distinguish a failed relationship, a civil default, and a deliberate scheme of deceit.[23]

Such proof can be provided through various forms of evidence, such as electronic communications, witness testimony, money transfer records, wedding planning documents, or other facts indicating systematic manipulation by the perpetrator.[24] For example, it may be discovered that the perpetrator is simultaneously involved with another person, is using a false identity, or has a history of committing similar acts against other victims. These facts can strengthen the suspicion that the perpetrator is indeed using the promise of marriage as a means of fraud.

In addition, it is important to recognize the abuse of trust in personal relationships. In relationships leading to marriage, victims generally place their full trust in their prospective partners. When that trust is intentionally exploited to gain an advantage through deception, the relationship is no longer merely a private matter but has entered the realm of criminal law. In modern criminal law theory, the abuse of trust that causes harm to another party constitutes a criminal offense.

The classification of unilateral annulment of marriage as a criminal offense of fraud is also consistent with legal developments that increasingly prioritize victim protection as a key component of the criminal justice system. Until now, victims in such cases have often been advised to file only civil lawsuits to seek compensation.[25] In fact, civil remedies are not always effective because they do not address the moral wrongdoing and manipulation committed by the perpetrator. Furthermore, civil lawsuits also require significant time and expense, which often places a heavy burden on the victim.

Through a criminal law approach, the state can provide stronger protection for victims by classifying such manipulative acts as violations of the law and society's values of justice. Punishing the perpetrators also serves a preventive function to deter similar cases from occurring in the future.[26] Given the threat of criminal penalties, the public is urged to exercise greater caution and not use the promise of marriage as a means to commit fraud.

In the context of the reform of national criminal law, the recognition of unilateral annulment of marriage as a form of fraud also reflects the legal response to evolving patterns of modern crime. Crime is no longer limited to physical violence or conventional theft, but also includes emotional and social manipulation that causes tangible harm to victims. Therefore, criminal

[23] Nurhayati Chalil dan Fathurrahim, *Perlindungan Hukum atas Martabat dan Privasi Perempuan dari Praktik Deepfake Pornografi*, 6, no. 2 (2026), https://doi.org/https://doi.org/10.56370/jhlg.v6i12.1969.

[24] Rohman Rohman dkk., "Sistem Pembuktian dalam Hukum Pidana Indonesia dan Tantangan dalam Proses Peradilan," *Jimmi: Jurnal Ilmiah Mahasiswa Multidisiplin* 1, no. 3 (2024): 279–92, https://doi.org/10.71153/jimmi.v1i3.146.

[25] Dwi Fidhayanti, "Penyalahgunaan Keadaan (Misbruik Van Omstandigheden) Sebagai Larangan Dalam Perjanjian Syariah," *Jurisdictie* 9, no. 2 (2019): 165, https://doi.org/10.18860/j.v9i2.5076.

[26] Tri Syafari dkk., "Fulfillment of Rights to Recovery for Victims of Sexual Violence Which Settlement is Made Outside the Judicial Process in Ternate City," *Jurnal Daulat Hukum* 8, no. 2 (2025): 219, https://doi.org/10.30659/jdh.v8i2.45282.

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law must be able to adapt to societal dynamics in order to remain relevant and effective in providing legal protection.[27]

Nevertheless, the application of criminal law to cases of unilateral marriage annulment still requires clear boundaries to prevent overcriminalization. Not every relationship breakdown or marriage annulment can be criminalized. The element of fraud must be concretely proven through the existence of an intent to unlawfully benefit oneself and the use of deceitful tactics that cause the victim to suffer a loss. Thus, criminal law remains an ultimum remedium, a last resort when the perpetrator's actions have truly crossed the boundaries of private relationships and entered the realm of criminality.

Based on the above discussion, it can be understood that the unilateral annulment of a marriage on the wedding day may be classified as a criminal act of fraud under Article 492 of the National Criminal Code if it meets the elements of fraud, namely the intent to unlawfully benefit oneself, the use of deceit or a series of lies, and the loss suffered by the victim as a result of the trust placed in the perpetrator. This classification is important to provide legal certainty while strengthening protection for female victims, who have often been in a vulnerable position in relationships leading up to marriage. Thus, criminal law functions not only as a tool for punishment but also as an instrument for protecting the dignity, honor, and rights of victims in society.

The Ideal Form of Criminal Law Protection for Female Victims of the Harm Caused by Such Unilateral Marriage Annulment Schemes

Criminal legal protection for female victims of unilateral marriage annulment is a critical issue in the development of modern law in Indonesia. Until now, female victims in cases of unilateral marriage annulment have often been treated merely as parties suffering moral and social harm without receiving adequate legal protection. In reality, the consequences of such actions extend beyond economic loss to include psychological distress, damage to one's honor, social pressure, and the loss of the victim's sense of security and self-confidence. In Indonesian society, where the social and cultural values surrounding marriage are still highly cherished, the cancellation of a wedding on the day of the ceremony or just before the marriage contract is often viewed as a disgrace that carries a heavy stigma for women. As a result, women are the most vulnerable to suffering multiple layers of pain due to the manipulative actions of their prospective partners.

From the perspective of modern criminal law, victims are no longer merely a means of evidence in the judicial process, but legal subjects who have the right to protection, restitution, and justice. This paradigm shift indicates that the criminal justice system is not only focused on punishing offenders, but must also take into account the interests of victims. [28] Therefore, ideal criminal law protection for female victims of unilateral marriage annulment must be established through a comprehensive approach that encompasses punitive, preventive, restorative, and rehabilitative measures.

Legally, protection for crime victims in Indonesia rests on several layers of norms. Law No. 31 of 2014 amending Law No. 13 of 2006 on the Protection of Witnesses and Victims

[27] Randi Aritama, "Penipuan Dalam Hukum Pidana Dan Hukum Perdata," *SENTRI: Jurnal Riset Ilmiah* 1, no. 3 (2022): 728–36, https://doi.org/10.55681/sentri.v1i3.283.
[28] Rena Yulia, *Viktimologi: perlindungan hukum terhadap korban kejahatan*, Ed. 1., cet. 1 (Graha Ilmu, 2010).

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recognizes the rights of victims to protection, legal advice, medical and psychosocial assistance, and restitution. However, several of these rights are granted only in "certain cases" determined by a decision of the Witness and Victim Protection Agency (LPSK) (Articles 5(2), 6(2), and 7A(2)). Victims of fraud-based marriage cancellation therefore cannot claim them automatically and must apply through LPSK. Technical implementation is regulated further in Government Regulation No. 7 of 2018 as amended by Government Regulation No. 35 of 2020, together with Supreme Court Regulation No. 1 of 2022 on restitution and compensation. In addition, the National Criminal Code lists payment of compensation as an additional punishment (Article 66(1)(d)), and its elucidation equates this compensation with restitution. The new Criminal Procedure Code (Law No. 20 of 2025), in force since 2 January 2026, also regulates restorative justice, and it expands the recovery mechanisms of restitution and compensation (Articles 178–188), the joinder of compensation claims (Articles 189–192), and the victim's access to legal aid (Article 154). In practice, however, this protection is still more frequently applied to victims of physical violence, human trafficking, or sexual violence, while victims of emotional manipulation and fraud based on personal relationships, such as unilateral marriage annulment, have not yet received adequate attention.[29]

Women who are victims of unilateral marriage annulments essentially experience a serious form of psychological and social abuse. The perpetrator not only shatters the victim's hopes for married life, but also humiliates her in front of her family and the community.[30] In many cases, all the wedding preparations have been made public, invitations have been sent out, and even traditional and religious ceremonies have been thoroughly planned. When a wedding is unilaterally canceled without a valid reason, the victim often becomes the target of questioning, ridicule, and prolonged social stigma. This situation demonstrates that the impact of the crime does not stop at material loss, but also touches upon the human dimension and the victim's dignity.

Ideal criminal law protection must begin with the recognition that female victims in cases of unilateral annulment of marriage are the ones who have suffered actual victimization. This recognition is important because, to date, many law enforcement officials still view such cases as private matters or merely breaches of contract in social relationships. As a result, victims' reports are often not taken seriously.[31] In fact, if the perpetrator's actions involve deception and a series of lies that result in actual financial loss, then such conduct meets the criteria for the criminal offense of fraud as defined in Article 492 of the National Criminal Code.

The ideal first form of protection is repressive protection through the effective enforcement of criminal law against perpetrators. The state must ensure that victims have access to a fair and non-discriminatory legal process. In this context, law enforcement officials need to adopt a victim-centered perspective and demonstrate gender sensitivity when handling cases of unilateral marriage annulment. Investigators, prosecutors, and judges must understand that

[29] Trisno R. Hadis Kadimuddin Baehaki, "Perlindungan Hukum Terhadap Saksi dan Korban Dalam Sistem Peradilan Pidana Indonesia," *Jurnal Media Hukum* 11, no. 1 (2023): 52–63, https://doi.org/10.59414/jmh.v11i1.451.

[30] Reni Ayu Anggriani dkk., "Implementation of the Principle of Freedom of Contract in Business Agreement Law and Its Implications for Justice," *Interdisiplin: Journal of Qualitative and Quantitative Research* 1, no. 3 (2024): 86–101, https://doi.org/10.61166/interdisiplin.v1i3.25.

[31] Abdullah, *Penafsiran hakim tentang perbedaan antara perkara wanprestasi dengan penipuan: laporan penelitian*, with Puslitbang Hukum dan Peradilan (Indonesia) (Puslitbang Hukum dan Peradilan, Badan Litbang Diklat Kumdil, Mahkamah Agung RI, 2012).

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the impact experienced by female victims is not limited to economic loss but also includes serious psychological trauma and social pressure.[32]

Effective criminal law enforcement can provide a sense of justice for victims while also serving as the state's acknowledgment that the victims' suffering is a serious legal issue. The prosecution of perpetrators also serves a symbolic function, demonstrating that emotional manipulation through the promise of marriage is neither legally nor morally justifiable.[33] Thus, criminal law serves not only as a means of punishment, but also as a means of protecting women's dignity and honor.

In addition to repressive law enforcement, ideal protection must also include the restoration of victims' rights through restitution mechanisms. Restitution is compensation imposed on the perpetrator for the losses suffered by the victim as a result of the criminal act.[34] In cases of unilateral marriage annulment, restitution is particularly important because the victim has generally incurred significant expenses in preparing for the wedding. These expenses may include venue rental, catering, decorations, traditional attire, photography, entertainment, the dowry, and non-refundable traditional and religious fees.

Until now, victims have often been forced to bear the full financial burden themselves because legal resolutions have tended to focus on civil lawsuits. However, if a marriage is annulled due to fraud, the perpetrator should be held criminally liable as well as civilly liable through restitution.[35] The restitution mechanism in criminal proceedings provides greater certainty for victims than civil lawsuits, which involve lengthy proceedings and additional costs. Therefore, an ideal criminal justice system should make restitution an integral part of criminal sentences imposed on offenders.

The next form of protection is psychological rehabilitation for female victims. The trauma resulting from a unilateral marriage annulment is often long-lasting and affects the victim's mental health. Many victims experience depression, anxiety, a loss of self-confidence, and even withdraw from their social circles due to the shame they feel. In this context, the state must step in to provide psychological recovery services through counseling and mental rehabilitation.[36]

A rehabilitative approach is crucial because female victims in such cases often experience secondary victimization as a result of negative reactions from society. Victims suffer not only from the perpetrator's actions but also from social stigma that blames them for the failure of their marriage. Therefore, psychological recovery must be viewed as part of the victim's rights that must be upheld within the criminal justice system. [37]

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[32] Bintara Sura Priambada, *Kajian Viktimologi Tentang Perlindungan Hukum Bagi Korban Kejahatan Seksual*, 4, no. 5 (2025), https://mail.bajangjournal.com/index.php/JCI/article/view/9778/7695.

[33] Jevera dkk., "Pertanggungjawaban Hukum Pengingkaran Janji Kawin."

[34] Achmad Farhan dkk., "Implementasi Restitusi Korban Tindak Pidana Pelecehan Seksual Perspektif Undang-Undang Nomor 31 Tahun 2014 Tentang Perlindungan Saksi Dan Korban," *Jurnal Hukum Jurisdictie* 7, no. 2 (2025): 160–200, https://doi.org/10.34005/jhj.v7i2.188.

[35] Budiyanto Hiola dkk., "Implementasi Uu No 16 Tahun 2019 Tentang Pembatalan Perkawinan Akibat Salah Sangka Yang Terdapat Unsur Penipuan Mengenai Diri Pasangan."

[36] Sasmita Nurrizka Fajrin dan Erny Herlin Setyorini, "Perlindungan Hukum Bagi Korban Kekerasan Seksual Yang Berbasis Manipulasi Psikologis," *Transparansi Hukum* 9, no. 1 (2026): 277–97, https://doi.org/10.30737/transparansi.v9i1.7369.

[37] Gina Maulida dan Muhamad Romdoni, "Perlindungan Hukum Terhadap Korban Pelecehan Seksual Yang Mengalami Viktimisasi Sekunder di Media Sosial," *Southeast Asian Journal of Victimology* 2, no. 1 (2024): 59, https://doi.org/10.51825/sajv.v2i1.25445.

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Ideal legal protection must also include legal representation and legal aid for victims.[38] Many female victims do not understand their rights or are afraid to report incidents out of concern for social stigma. In some cases, victims are even intimidated by the perpetrators to prevent them from taking the matter to court. Therefore, the state must provide easy and affordable access to legal aid for victims so that they can effectively assert their rights.

Legal assistance is not only important during investigations and trials, but also in helping victims understand the mechanisms of restitution, witness protection, and the restoration of other rights. With adequate legal assistance, victims will not feel alone in facing legal processes that are often complex and emotionally draining. In addition to repressive and rehabilitative protection, ideal criminal law protection must also be preventive.

Preventive measures are necessary to prevent cases of unilateral marriage annulment carried out through deception. One form of preventive protection is legal education for the public regarding the criminal consequences of manipulative actions in premarital relationships. Until now, many people have assumed that marriage promises have no legal consequences, leading perpetrators to feel free to take advantage of the victims' trust.

However, if such a promise is accompanied by deception to gain a specific benefit, the act may have criminal implications. Therefore, raising awareness about the distinction between the failure of a personal relationship and the criminal offense of fraud is essential so that the public has a better understanding of the law. This education is also crucial for encouraging the public to respect women's rights and dignity in personal relationships.

Preventive protection can also be achieved by strengthening the roles of family institutions, religious leaders, and traditional institutions in the process leading up to marriage. In Indonesian society, marriage involves not only two individuals but also extended families and the broader social community. Therefore, social oversight of the engagement process and marriage preparations can serve as a first step toward preventing manipulation and deception.[39]

Furthermore, ideal criminal law protection must take gender perspectives into account in law enforcement. Women often find themselves in unequal positions in social and economic relationships, making them more vulnerable to emotional manipulation. In many cases, women bear a heavier social burden than men when a marriage is annulled. Therefore, law enforcement officials must understand the existence of this power imbalance so as not to view cases of unilateral marriage annulment as purely neutral without considering their impact on female victims.

In the context of reforming national criminal law, protection for female victims must also be guided by restorative justice, which treats crime not only as a violation against the state but also as harm to victims and social relationships. Normatively, the National Criminal Code orients sentencing toward resolving conflicts and restoring balance (Article 51). The new Criminal Procedure Code defines restorative justice as an approach involving the victim, the perpetrator, their families, and other related parties, aimed at restoring the original condition

[38] Fathurrahim Fathurrahim, "Implementasi Pasal 56 Kuhap Tentang Hak Tersangka Atas Bantuan Hukum Dalam Proses Penyidikan Perkara Tindak Pidana Narkotika," *IBLAM LAW REVIEW* 3, no. 2 (2023): 1–12, https://doi.org/10.52249/ilr.v3i2.114.

[39] Faisal Faisal, "Pembatalan Perkawinan Dan Pencegahannya," *Al-Qadha : Jurnal Hukum Islam dan Perundang-Undangan* 4, no. 1 (2017): 1–15, https://doi.org/10.32505/qadha.v4i1.173.

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(Article 1(21); Articles 79–88). The agreement reached must be fulfilled within seven days at the latest, after which the case must be terminated, and a court determination requested. The mechanism applies only to offences threatened with imprisonment of at most five years or a fine up to category III, and only to first-time offences (Article 80(1)). Fraud under Article 492 carries a maximum of four years' imprisonment, so unilateral annulment by deception formally falls within this threshold. Several institutions are involved: investigators (Police Regulation No. 8 of 2021), prosecutors (Prosecutor's Regulation No. 15 of 2020), judges (Supreme Court Regulation No. 1 of 2024), and the district court, which confirms the termination of the case. Supreme Court Circular No. 1 of 2026 gives further guidance on this confirmation. In this context, a restorative outcome should include reimbursement of the victim's verified expenses and recognition of her non-material harm.[40]

In the context of reforming national criminal law, protection for female victims of unilateral marriage annulments must also be guided by a restorative justice approach focused on the victims' recovery. Restorative justice views crime not only as a violation against the state, but also as an act that damages social relationships and causes suffering to victims. Therefore, the resolution of such cases must take into account the tangible restoration of the victims' losses.[41] Accordingly, several safeguards are necessary. First, the victim's consent must be voluntary and informed, supported by legal counsel and, where needed, UPTD PPA or LPSK assistance, so that the power imbalance between the parties is not reproduced in the process. Second, the agreement must restore the victim's losses in full and not be limited to a symbolic apology. Third, perpetrators who have defrauded other victims through similar promises of marriage do not meet the first-offence requirement and must proceed through the ordinary criminal process. Fourth, judicial confirmation must remain the final control over whether the agreement truly serves the victim.

However, the application of restorative justice in cases of unilateral marriage annulment must be carried out with caution. A restorative approach must not be used as a pretext to disregard the perpetrator's criminal liability, especially if the act was committed intentionally and systematically. Restorative justice can only be applied if it truly benefits the victim and does not place the victim back in a vulnerable position.

Ideal criminal law protection also requires legal reforms that are more responsive to the evolving nature of modern crime. Until now, criminal law has focused primarily on direct physical and economic harm, while emotional and social harm has often been overlooked. Yet, societal developments show that emotional manipulation through personal relationships can have extremely serious consequences for victims.

Therefore, reforms to criminal law must be able to accommodate new forms of victimization emerging in society, including fraud based on personal relationships and promises of marriage. The state needs to develop legal policies that ensure manipulative

[40] Kuswandi Kuswandi dan Shifa Salsabilla Madianwati, "Kriminologi Feminis: Pendekatan untuk Memahami Kejahatan serta Bentuk-Bentuk Ketidakadilan Gender dalam Perspektif Hukum," *Indonesian Journal of Law and Justice* 3, no. 2 (2025): 14, https://doi.org/10.47134/ijlj.v3i2.5009.

[41] Muhammad Fatahillah Akbar, "Pembaharuan Keadilan Restoratif Dalam Sistem Peradilan Pidana Indonesia," *Masalah-Masalah Hukum* 51, no. 2 (2022): 199–208, https://doi.org/10.14710/mmh.51.2.2022.199-208.

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actions within relationships leading to marriage can be subject to criminal liability if they meet the elements of fraud.[42]

In addition, it is important to foster synergy among law enforcement agencies, women's protection organizations, and social service agencies in providing protection to victims. Female victims need not only legal proceedings but also social and psychological support so they can return to living a normal life. Through cross-sectoral cooperation, protection for victims can be provided in a more comprehensive and sustainable manner. Based on the above discussion, it is clear that the ideal form of criminal law protection for female victims of unilateral marriage annulment must be implemented through a comprehensive approach.

Such protection includes effective criminal law enforcement against perpetrators, restitution for the victims' losses, psychological rehabilitation, legal aid, protection from social stigma, a gender-sensitive approach, and the strengthening of legal policies that are responsive to the evolving nature of modern crime. Thus, criminal law serves not only to punish perpetrators but also to provide tangible protection for the dignity, honor, and rights of women as victims of criminal acts.

D. Conclusion

Based on the results of this research and discussion, it can be concluded that the act of unilaterally canceling a marriage on the day of the wedding can be classified as the criminal offense of fraud under Article 492 of Law No. 1 of 2023 on the Criminal Code if it is proven that there was an intent to unlawfully benefit oneself or another person through the use of deceit, a series of lies, or manipulation that causes the victim to suffer material or immaterial losses. In this context, the relationship leading to marriage is no longer viewed solely as a private matter if, from the outset, the perpetrator has abused the victim's trust to obtain a specific benefit. Women who are victims of unilateral marriage annulments are also in a highly vulnerable position, as they suffer not only economic losses but also psychological distress, emotional trauma, and prolonged social stigma. Therefore, ideal criminal law protection must be realized through law enforcement that is oriented toward victim protection, the provision of restitution, psychological rehabilitation, legal aid, and a gender-sensitive approach in the criminal justice process. Thus, criminal law serves not only as a means of punishing perpetrators but also as an instrument to protect the dignity, honor, and rights of women as victims of criminal fraud based on personal relationships leading to marriage.

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[42] Wulandari dkk., "Dinamika Hukum Perkawinan Dalam Perspektif Hukum Islam Dan Hukum Positif Di Indonesia," *Journal Central Publisher* 1, no. 12 (2025): 1383–87, https://doi.org/10.60145/jcp.v1i12.313.

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References

Aina Aurora Mustikajati dan Sulistyanta Sulistyanta. "Pertanggungjawaban Pidana Pelaku Tindak Pidana Penipuan Online Berdasarkan Perspektif KUHP dan Undang-Undang Informasi dan Transaksi Elektronik." *Politika Progresif : Jurnal Hukum, Politik dan Humaniora* 1, no. 2 (2024): 156–69. https://doi.org/10.62383/progres.v1i2.256.

Alwan Hadiyanto, Emy Hajar Abra, dan Linayati Lestari. "Tipu Muslihat dalam Perspektif Hukum Pidana: Analisis Penalaran Yuridis Hakim dalam Menentukan Unsur Penipuan." *JURNAL USM LAW REVIEW* 8, no. 2 (2025): 836–48. https://doi.org/10.26623/julr.v8i2.12062.

Arief, Barda Nawawi. *Bunga rampai kebijakan hukum pidana: perkembangan penyusunan konsep KUHP baru*. Ed. 1., cet. 1. Kencana, 2008.

Aritama, Randi. "Penipuan Dalam Hukum Pidana Dan Hukum Perdata." *SENTRI: Jurnal Riset Ilmiah* 1, no. 3 (2022): 728–36. https://doi.org/10.55681/sentri.v1i3.283.

Amiruddin dan Zainal Asikin 2020.*Pengantar metode penelitian hukum*. Edisi Revisi. Cetakan ke-11, Januari 2020. With. Rajawali Pers,.

Bintang Tommy Rizaldy, Calvin Kristianto. *Peran Viktimologi dalam Reformasi Hukum Pidana di Indonesia*. 2, no. 3 (2025). https://ejournal.uhb.ac.id/index.php/korisa/article/view/1978.

Budiyanto Hiola, Rahmat, Mutia Cherawaty Thalib, dan Sri Nanang Meiske Kamba. "Implementasi Uu No 16 Tahun 2019 Tentang Pembatalan Perkawinan Akibat Salah Sangka Yang Terdapat Unsur Penipuan Mengenai Diri Pasangan." *Journal of Comprehensive Science (JCS)* 2, no. 5 (2023): 1185–92. https://doi.org/10.59188/jcs.v2i5.335.

Elizabeth, Vivi, dan Ade Adhari. "Kepastian Hukum Akibat Kelalaian Jaksa Penuntut Umum: Analisis Putusan Pengadilan Negeri Ngabang No. 48/Pid.Sus/2019/PN.Nba." *Jurisprudensi: Jurnal Ilmu Syariah, Perundang-Undangan dan Ekonomi Islam* 16, no. 1 (2024): 99–114. https://doi.org/10.32505/jurisprudensi.v16i1.5735.

Fathurrahim, dan Tri Syafari. "Building Law Enforcement with Character Ulil Albab: Reflection of Godly Values in The National Legal System." *Journal of Legal Contemplation* 1, no. 2 (2025): 84–95. https://doi.org/10.63288/jlc.v1i2.8.

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Fidhayanti, Dwi. "Penyalahgunaan Keadaan (Misbruik Van Omstandigheden) Sebagai Larangan Dalam Perjanjian Syariah." *JURISDICTIE* 9, no. 2 (2019): 165. https://doi.org/10.18860/j.v9i2.5076.

H. Moh. Askin, Masidin. *Penelitian Hukum Normatif: Analisis Putusan Hakim*. 1. Prenada Media, 2023.

Hiariej, Eddy O. S., dan Topo Santoso. *Anotasi KUHP Nasional*. Cetakan ke-3. Rajawali Pers, 2025.

Imaduddin, Aufi, Mir'atul Firdausi, dan Tiyan Iswahyuni. "Ghosting Pasca Peminangan/Khitbah Menurut Hukum Perdata Indonesia dan Hukum Islam." *The Indonesian Journal of Islamic Law and Civil Law* 2, no. 2 (2021): 170–84. https://doi.org/10.51675/jaksya.v2i2.167.

Jevera, Vania Madeline, Fajar Sugianto, dan Sanggup Leonard Agustian. "Pertanggungjawaban Hukum Pengingkaran Janji Kawin." *TANJUNGPURA LAW JOURNAL* 6, no. 2 (2022): 195. https://doi.org/10.26418/tlj.v6i2.52529.

Kompas.tv. *Heboh Pria di Probolinggo Batalkan Nikah H-2, Resepsi Diganti Tasyakuran, Digugat Kekasih Rp3 Miliar*. 2023. https://www.kompas.tv/regional/370171/heboh-pria-di-probolinggo-batalkan-nikah-h-2-resepsi-diganti-tasyakuran-digugat-kekasih-rp3-miliar?page=all#goog_rewarded.

Muhammad Ardiansyah Satria Dwi Putra, Ifahda Pratama Hapsari. *Implikasi Sanksi Pemidanaan di Dalam KUHP Baru Terhadap Delik Penipuan Transaksi Secara Online*. 7, no. 3 (2025). https://doi.org/https://doi.org/10.31933/unesrev.v7i3.2406.

Nabila, Adinda, Jamaluddin Jamaluddin, dan Muhibuddin Muhibuddin. "Akibat Hukum Terhadap Pemalsuan Identitas Dan Pembatalan Perkawinan Ditinjau Dari Kompilasi Hukum Islam (Studi Putusan Nomor 3109/Pdt.G/2023/PA.Mdn.)." *Jurnal Ilmiah Mahasiswa Fakultas Hukum Universitas Malikussaleh* 8, no. 3 (2025). https://doi.org/10.29103/jimfh.v8i3.23372.

Nurhayati Chalil dan Fathurrahim. *Perlindungan Hukum atas Martabat dan Privasi Perempuan dari Praktik Deepfake Pornografi*. 6, no. 2 (2026). https://doi.org/https://doi.org/10.56370/jhlg.v6i12.1969.

Nurul Alaina dan Syaddan Dintara Lubis. "Akibat Hukum Pembatalan Pelaksanaan Perkawinan Secara Sepihak Oleh Calon Pengantin (Studi Putusan Pengadilan Tinggi Kupang Nomor 14/PDT/2023/PT KPG)." *Keadilan* 23, no. 3 (2025): 248–68. https://doi.org/10.37090/keadilan.v23i3.2854.

Rizky Pratama. "Briptu AA Disomasi Calon Istri Usai Batalkan Pernikahan Sepihak." *Koran Manado*, 2026. https://www.koranmanado.co.id/briptu-aa-disomasi-batal-nikah.

Rohman, Rohman, Muliadi Muliadi, Farhan Pratama, dkk. "Sistem Pembuktian dalam Hukum Pidana Indonesia dan Tantangan dalam Proses Peradilan." *Jimmi: Jurnal Ilmiah Mahasiswa Multidisiplin* 1, no. 3 (2024): 279–92. https://doi.org/10.71153/jimmi.v1i3.146.

Copyright © 2026 The Author(s) | CC BY-SA 4.0 | Published by Candela Edutech Indonesia |

Setiawan, Peter Jeremiah. “Sistem Pemulihan Kerugian Integratif Bagi Korban Penipuan Skala Masif di Indonesia.” *Kertha Patrika* 42, no. 3 (2020): 230. https://doi.org/10.24843/KP.2020.v42.i03.p02.

Sugiarto, Dido Oksi dan Sulistiyono. “Efektivitas Undang–Undang Nomor 16 Tahun 2019 tentang Perkawinan terhadap dengan Dispensasi Kawin.” *Indonesian Journal of Law and Justice* 1, no. 3 (2024): 8. https://doi.org/10.47134/ijlj.v1i3.2122.

Syafari, Tri, Fathurrahim Fathurahim, dan Basto Daeng Robo. “Fulfillment of Rights to Recovery for Victims of Sexual Violence Which Settlement is Made Outside the Judicial Process in Ternate City.” *Jurnal Daulat Hukum* 8, no. 2 (2025): 219. https://doi.org/10.30659/jdh.v8i2.45282.

Umar Haris Sanjaya dan Aunur Rahim Faqih. *Hukum Perkawinan Islam*. 1 ed. Gama Media Yogyakarta, 2017.

Yusuf, Arni, Fence M. Wantu, dan Mohamad Hidayat Muhtar. “Disparitas Putusan Hakim Dalam Tindak Pidana Penipuan Dan Implikasinya Terhadap Kepastian Hukum.” *SINERGI : Jurnal Riset Ilmiah* 2, no. 2 (2025): 836–48. https://doi.org/10.62335/sinergi.v2i2.923.

Zulvira Zalleh Bairatnissa, Barzah Latupono, Sabri Fataruba. *Akibat Hukum Pembatalan Pelaksanaan Perkawinan Secara Sepihak*. 2, no. 4 (2022). https://doi.org/https://doi.org/10.47268/tatohi.v2i4.1099.

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