

Tinjauan Hukum Pidana Islam Terhadap Sanksi Pidana Bagi Pelaku Penipuan Perubahan *Qris Barcode* Pada Kotak Amal Masjid

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Abstrak

Era globalisasi identik dengan kemajuan di bidang teknologi dan informasi yang berkembang dengan sangat pesat dan cepat. Salah satu hasil kemajuan teknologi ialah penggunaan internet. Dampak yang ditimbulkan dari kemajuan teknologi zaman sekarang ialah terdapat penipuan secara online. Beragam penipuan secara online yang telah terjadi di Indonesia menimbulkan banyak kerugian bagi masyarakat, salah satunya adalah kejahatan yang dilakukan oleh individu yang mengubah *Qris Barcode* pada kotak amal Masjid. Rumusan masalah dalam penelitian ini meliputi sanksi pidana bagi pelaku penipuan perubahan *Qris Barcode* menurut hukum positif serta hukum pidana Islam. Penelitian ini bertujuan untuk mengetahui bagaimana sanksi bagi pelaku terhadap kasus tersebut. Adapun metode penelitiannya menggunakan metode penelitian normatif, yaitu difokuskan pada studi pustaka dengan mengumpulkan beberapa sumber pustaka. Kesimpulan dari penelitian ini bahwa dalam hukum positif sanksi bagi pelaku yaitu melanggar Undang-undang tentang transfer dana serta tindak pidana penipuan online. Mengenai sanksi dalam hukum pidana Islam yaitu berlakunya hukuman *ta'zir*. Hukuman bagi pelaku penipuan tidak dijelaskan secara tegas didalam nash, maka dapat dikatakan hukuman yang berlaku berupa *ta'zir* yang mana hukumannya diserahkan sepenuhnya kepada hakim.

Kata Kunci: Sanksi, Penipuan, *Qris Barcode*, Hukum Pidana Islam

Abstract

The era of globalization is synonymous with advances in technology and information which are developing very rapidly and quickly. One of the results of technological advances is the use of the internet. Advances in science and technology can make it easier for us to access the information we need with just the touch of a finger. The impact of today's technological advances is that there are online frauds. Various online frauds that occur in Indonesia cause many losses to society, one of which is a crime committed by individuals who change the Qris Barcode on mosque charity boxes. The problem formulation in this research includes criminal sanctions for perpetrators of Qris Barcode change fraud according to positive law and Islamic criminal law. This research aims to find out what the sanctions are for the perpetrators in this case. The research method uses a normative research method, which is focused on literature study by collecting several library sources. The conclusion from this research is that in positive law the sanctions for perpetrators are violations of the law regarding fund transfers and criminal acts of online fraud. Regarding sanctions in Islamic criminal law, namely the application of the ta'zir penalty. The punishment for perpetrators of fraud is not explicitly explained in the text, so it can be said that the applicable punishment is in the form of ta'zir where the punishment is handed over entirely to Ulil Amri.

Keywords: Sanctions, Fraud, Qris Barcode, Islamic Criminal Law