

Republic of the Philippines
SANDIGANBAYAN
Quezon City

SECOND DIVISION

PEOPLE OF THE PHILIPPINES,
Plaintiff,

Crim. Case No. SB-16-CRM-0048

For: Falsification of Public Document

Present:

-versus-

Herrera, Jr., J., Chairperson
Musngi, J. &
Pahimna, J.

JUNAIDA GUERRERO PRANTILLA,
Accused.

Promulgated:

Jan 11, 2017

X-----X

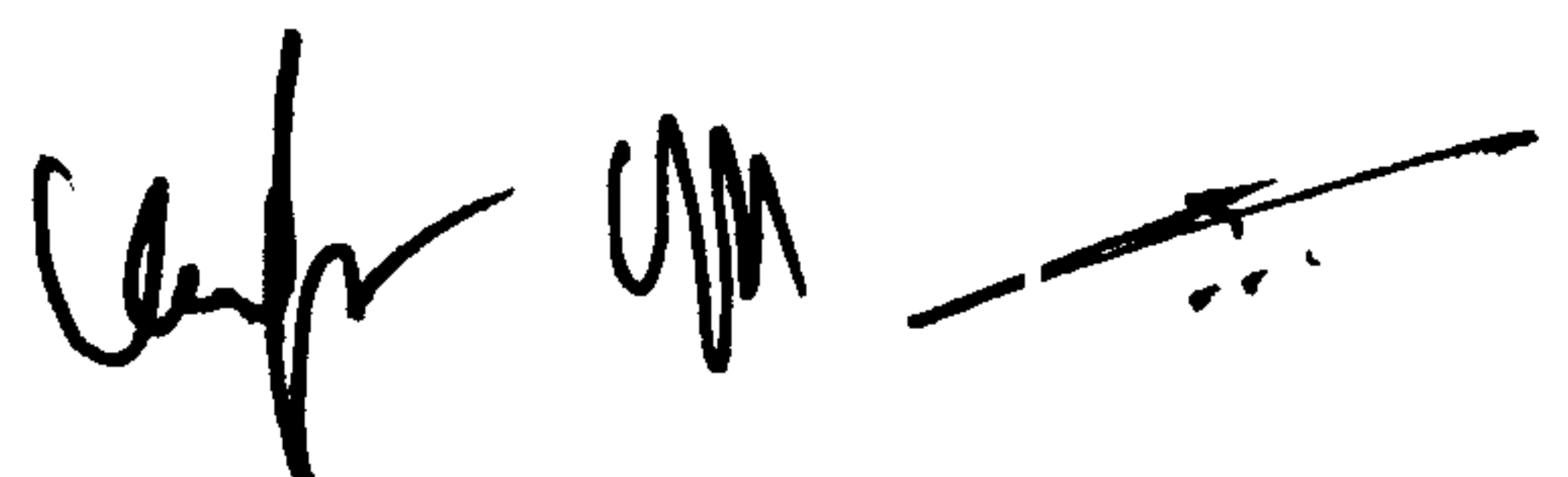
RESOLUTION

PAHIMNA, J:

This resolves the ***Motion for Reconsideration Re: Resolution Issued on September 27, 2016***, filed by plaintiff People of the Philippines, through the Office of the Special Prosecutor, Office of the Ombudsman, dated January 9, 2017, to which the accused through counsel, filed a ***Comment and/or Opposition to the Motion for Reconsideration of Prosecution*** dated February 14, 2017.

Essentially, the plaintiff insists that the Court merely focused on the number of years it took the Office of the Ombudsman to resolve the complaint, failing to consider the complexity of this case. It counters that it had several issues to resolve considering that the complaint involved four (4) accused in conspiracy with one another in committing two counts of Falsification, Malversation of Public Funds, and violation of Section 3 (e) of Republic Act 3019. It further maintains that given the factual circumstances of this case, the alleged delay cannot be considered as vexatious, capricious, or oppressive. Consequently, it posits that the period of time it took the Office of the Ombudsman to conduct the preliminary investigation is reasonable.

Plaintiff's Motion for Reconsideration lacks merit.



RESOLUTION

Crim. Case No. SB-16-CRM-0048

Page 2 of 2

X -----X

It bears repeating that the complaint-affidavit against the accused was filed before the Office of the Ombudsman on February 9, 2010, and the Information against her was finally filed before the Sandiganbayan only on January 27, 2016. Thus, short of thirteen (13) days, it took the Office of the Ombudsman almost six (6) years to finally file the Information before this Court. However, no justification was offered for the delay. The several issues before the plaintiff were simple and did not involve a complex interpretation of laws. Also, the records do not appear to be voluminous as to justify the passage of almost six (6) long years. The accused has undoubtedly been prejudiced by the delay for it cannot be denied that she has lived under a cloud of anxiety pending resolution of her case.¹

Furthermore, the dismissal of this case on the ground of violation of accused's Constitutional right to speedy disposition of case guaranteed under Section 16, Article III of the Constitution is akin to a dismissal based on violation of the right of an accused to speedy trial likewise guaranteed under Section 14(2) of the same Article III of the Constitution. Thus, equally applicable to the case at bar is the elementary rule that a dismissal based on violation of the right to speedy trial is tantamount to an acquittal which bars an appeal or a reconsideration as it would amount to a violation of the principle of double jeopardy.² A judgment of acquittal becomes final, unappealable and immediately executory upon promulgation, hence, cannot be recalled for correction or amendment, because of the doctrine that nobody may be put twice in jeopardy of punishment for the same offense. This is the finality of acquittal rule.³

WHEREFORE, the *Motion for Reconsideration Re: Resolution Issued on September 27, 2016*, filed by plaintiff People of the Philippines dated January 9, 2017, is hereby **DENIED**.

SO ORDERED.


LORIFEL L. PAHIMNA
Associate Justice

WE CONCUR:


OSCAR C. HERRERA, JR.
Chairperson


MICHAEL FREDERICK L. MUSNGI
Associate Justice

¹ Torres v. Sandiganbayan, G.R. No. 221562-69, October 5, 2016.

² Bonsubre, Jr. v. Yerro, et al., G.R. No. 20592, February 11, 2015.

³ People v. Velasco, 340 SCRA 207; People v. Hernando, 108 SCRA 121; Chiok v. People, G.R. No. 179814, December 7, 2015.