



REPUBLIC OF THE PHILIPPINES
SANDIGANBAYAN
QUEZON CITY

THIRD DIVISION

PEOPLE OF THE PHILIPPINES,
Plaintiff,

Criminal Case No. SB-
18-CRM-0548

For: *Violation of Section 3(e) of*
R.A. No. 3019

- versus -

Criminal Case No. SB-
18-CRM-0549

For: *Violation of Section 7(d) of*
R.A. No. 6713

RAYMUNDO J. JAVA, ET AL.,
Accused.

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DECISION

Accused Raymundo J. Java ("Java"), Sandy R. Bass, Sr. ("Bass"), Joel A. Baldelovar ("Baldelovar") are charged with violations of Section 3(e) of Republic Act (R.A.) No. 3019 and Section 7(d) of R.A. No. 6713, while Accused Gaspar D. Gonzales, Jr. ("Gonzales") is charged only with a violation of Section 3(e) of R.A. No. 3019.¹

During their arraignment on July 26, 2019, accused Java, Bass, and Baldelovar refused to enter a plea. Thus, the Court entered a plea of "Not Guilty" for them pursuant to Section 1 (c) of Rule 116 of the Revised Rules of Court.² Meanwhile, accused Gonzales, Jr. was arraigned on January 10, 2020, where he entered a plea of "Not Guilty."³

Thereafter, or on June 8, 2020, accused Java, Bass, Baldelovar, and Gonzales, Jr. filed a "**Manifestation with**

¹ Record, Vol. I, pp. 2-4; Record (SB-18-CRM-049), pp. 1-3.

² Record, Vol. II, pp. 597-598

³ Record, Vol. II, pp. 920-921

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Motion to Allow Accused to Enter into Plea Bargaining,⁴ where they expressed their intent to enter into a plea bargaining agreement with the prosecution. Additionally, the accused-movants expressed their willingness to pay the amount of P1,245,810.02 for the civil aspect in Criminal Case No. SB-18-CRM-0548.⁵

In its Resolution dated June 18, 2020, the Court required the prosecution to comment on the said motion within a non-extendible period of ten (10) days from notice thereof.⁶

In compliance with the aforesaid directive of the Court, the prosecution manifested its acceptance of the proposal of the accused for plea bargaining in its "***Comment on the Proposed Plea Bargaining***" dated October 22, 2021.⁷ On the same date, the prosecution submitted their ***Plea Bargaining Agreement***⁸ dated January 7, 2021 for the approval of the Court. The pertinent portions of the *Agreement* read:

THE FOREGOING CONSIDERED, it is respectfully recommended that the prosecution gives its consent to the proposal of accused Raymundo J. Java, Sandy R. Bass, Sr., Joel A. Baldelovar and Gaspar D. Gonzales, Jr. for plea bargaining to the lesser offense in these cases, provided:

1. In SB-18-CRM-0548, that accused Raymundo J. Java, Sandy R. Bass, Sr., Joel A. Baldelovar and Gaspar D. Gonzales, Jr. (a) will plead guilty to the lesser offense of Frauds Against the Public Treasury; (b) will solidarily restitute the amount of P1,245,810.00 [sic] in favor of the government; and (c) will be sentenced to suffer the penalty of *prision correccional* in its medium period to *prision mayor* in its minimum period,

⁴ Record, Vol. III, pp. 7-12

⁵ *Id.*

⁶ Record, Vol. III, p. 20

⁷ Filed electronically on the same day; Record, Vol. III, pp. 104-110

⁸ See "Annex B" of the *Comment on the Proposed Plea Bargaining*; The Agreement was approved and signed by Ombudsman Samuel R. Martires.



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or a fine ranging from 200 to 10,000 pesos, or both;




2. In SB-18-CRM-0549, that accused Raymundo J. Java, Sandy R. Bass, Sr., and Joel A. Baldelovar (a) will plead guilty to the lesser offense of Violation of Section 108, in relation to Section 128, of Presidential Decree No. 1445; and (b) will be sentenced to suffer the penalty of fine of one thousand pesos or by imprisonment not exceeding six (6) months, or both such fine and imprisonment in the discretion of the court.

In its Resolution promulgated on December 6, 2021, the Court granted the motion and, accordingly, approved the Plea Bargaining Agreement submitted by the parties considering that the requirements of the rules on plea bargaining set forth in Section 2, Rule 116 of the Rules of Court were complied with.⁹ Thus, the re-arraignment of the accused in these cases was set today.

In today's scheduled re-arraignment, accused Java, Bass, Sr., Baldelovar, duly assisted by their counsel, pleaded **GUILTY** to the lesser offense of: (1) *Frauds against Public Treasury* defined and penalized under paragraph 1, Article 213 of the Revised Penal Code in Criminal Case No. SB-18-CRM-0548, and (2) violation of Section 108 of P.D. No. 1445 in Criminal Case No. SB-18-CRM-0549. Accused Gonzales, Jr. likewise pleaded **GUILTY** to the lesser offense of *Frauds against Public Treasury*, defined and penalized under the said article of the Revised Penal Code in Criminal Case No. SB-18-CRM-0548. Thus, the Court vacated their earlier pleas of "Not Guilty" and directed that a plea of "Guilty" to the said lesser offenses be entered into the records of the case for the said accused.

Considering the plea of GUILTY of accused Raymundo J. Java, Sandy R. Bass, Sr., Joel A. Baldelovar, and Gaspar D. Gonzales, Jr., judgment is hereby rendered as follows:

⁹ Record, Vol. III, pp. 118-125



DECISION

Criminal Case Nos. SB-18-CRM-0548 to 0549
People v. Raymundo J. Java et al.

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1. In **Criminal Case No. SB-18-CRM-0548**, accused **RAYMUNDO J. JAVA, SANDY R. BASS, SR., JOEL A. BALDELOVAR, and GASPAR D. GONZALES, JR.** are hereby found **GUILTY** of *Frauds against Public Treasury* defined and penalized under paragraph 1, Article 213 of the Revised Penal Code. Accordingly, they are sentenced to pay a **FINE** of Ten Thousand Pesos (Php10,000.00) each and to restitute, jointly and severally, the amount of One Million Two Hundred Forty Five Thousand Eight Hundred Ten Pesos and Two Centavos (Php1,245,810.02) in favor of the government to be paid to the Court within fifteen (15) days from today; and
2. In **Criminal Case No. SB-18-CRM-0549**, accused **RAYMUNDO J. JAVA, SANDY R. BASS, SR., and JOEL A. BALDELOVAR** are found **GUILTY** of *Violation of Section 108, in relation to Section 128, of Presidential Decree No. 1445*. Accordingly, they are hereby sentenced to pay a **FINE** of P1,000.00 each to be paid to the Court likewise within fifteen (15) days from today.

SO ORDERED.

Given in open Court, Quezon City, February 11, 2022.


AMPARO M. CABOTAJE-TANG

Presiding Justice
Chairperson


BERNELITO R. FERNANDEZ

Associate Justice


RONALD B. MORENO

Associate Justice

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ATTESTATION

I attest that the conclusions in the above *Decision* were reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.

AMPARO M. CABOTAJE-TANG
Chairperson, Third Division

CERTIFICATION

Pursuant to Article VIII, Section 13 of the Constitution, and the Division Chairperson's Attestation, it is hereby certified that the conclusions in the above *Decision* were reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.

AMPARO M. CABOTAJE-TANG
Presiding Justice

by /