

Title: Soria and Bista v. Desierto, et al.

Facts:

On the evening of May 13, 2001, petitioners Rodolfo Soria and Edimar Bista were arrested without a warrant by Philippine National Police officers for alleged illegal possession of firearms and ammunition. Soria was detained for carrying a .38 cal. revolver and violating election regulations, while Bista was arrested for possessing a sub-machine pistol UZI and a .22 cal. revolver with ammunition. Following their arrest, both Soria and Bista were detained at the Santa, Ilocos Sur, Police Station.

It was discovered that Bista had an existing arrest warrant for violation of Batas Pambansa Blg. 6. On May 14, 2001, they were brought to the Provincial Prosecutor's Office where a "Joint-Affidavit" by the arresting officers was filed in court by 6:00 p.m. Soria was released on the order of the Provincial Prosecutor after 22 hours of detention, while Bista remained detained.

On May 15, Bista was presented before MTC Vigan, posted bail, and was issued an Order of Temporary Release for the violation of Batas Pambansa Blg. 6. However, no order of release was granted for the illegal possession charge. That afternoon, information for Illegal Possession of Firearms and Ammunition was filed in court. Bista was released on June 08, 2001, after 26 days in detention.

The petitioners filed a complaint-affidavit with the Office of the Ombudsman, alleging violation of Article 125 of the Revised Penal Code by the respondents. The Ombudsman, however, dismissed the complaint for lack of merit and denied the subsequent motion for reconsideration. The petitioners then elevated the matter to the Supreme Court through a petition for certiorari.

Issues:

1. Whether the petitioners' right to a speedy disposition of cases, specifically under Article 125 of the Revised Penal Code, had been violated.
2. Whether Sundays, holidays, and election days should be excluded in the computation of the prescribed periods within which public officers should deliver arrested persons to the proper judicial authorities.

Court's Decision:

The Supreme Court dismissed the petition for lack of merit. The Court did not find grave abuse of discretion on the part of the Office of the Ombudsman. It held that the law and

jurisprudence supported the respondents' actions, citing the cases of *Medina v. Orozco, Jr.* and *Sayo v. Chief of Police of Manila* to justify that non-working days should be excluded from the computation of the periods prescribed for delivery to judicial authorities. The Court also cited *People v. Acosta* to affirm that the duty of the arresting officers ended upon the filing of the informations with the proper judicial authorities. The filing of the complaint in court interrupted the period prescribed by Article 125 and satisfied the intent of informing the detained person of the charges against him.

Doctrine:

- The Supreme Court adheres to a non-interference policy regarding the investigatory and prosecutory powers of the Office of the Ombudsman absent any showing of grave abuse of discretion.
- Sundays, holidays, and election days are to be excluded in the computation of the periods provided in Article 125 of the Revised Penal Code for filing complaints or informations in cases of warrantless arrests.
- The duty of the arresting officers concludes upon the filing of the complaints or informations with the proper judicial authorities.

Class Notes:

- The 12-18-36 hour periods in Article 125 of the RPC dictate the maximum time detained persons should be delivered to judicial authorities, depending on the gravity of the offense.
- Non-working days may be excluded from these computation periods based on previous jurisprudence.
- Arresting officers' responsibilities end once the case is filed in court, transferring further duties to the judicial authorities.

Historical Background:

This case regards the interpretation and application of Article 125 of the Revised Penal Code amidst the nuances of non-working days in the Philippine legal landscape. The significance of this case lies in its affirmation of precedents that non-working days should not count towards the computation of detention periods before the filing of charges, which may be a recurring scenario in warrantless arrests, especially those occurring around the time of elections or holidays.