

Title: George (Culhi) Hambon v. Court of Appeals and Valentino U. Carantes

Facts:

George Hambon, the petitioner, instituted a civil case for damages against Valentino U. Carantes, the respondent, before the Regional Trial Court of Baguio (Branch 6) on June 6, 1989, due to injuries sustained from a vehicular accident on December 9, 1985, when a truck driven by the respondent bumped him. A criminal case, Criminal Case No. 2049 for Serious Physical Injuries through Reckless Imprudence, was filed on January 8, 1986, but was provisionally dismissed by the Municipal Trial Court of Tuba, Benguet on March 23, 1987, citing the petitioner's lack of interest to prosecute.

The trial court awarded damages to Hambon, holding that the dismissal of the criminal case did not bar the civil case. In contrast, the Court of Appeals, upon the respondent's appeal, reversed the ruling and dismissed Hambon's complaint on grounds that the civil action was impliedly instituted with the criminal case, and the dismissal of the latter, without any reservation for a separate civil action, also dismissed the civil case.

Hambon elevated the matter to the Supreme Court via a petition for review on certiorari under Rule 45 of the Rules of Court, arguing for his right to pursue a separate civil action without the need for reservation as upheld in the *Abellana v. Marave* case, and contending that the requirement of reservation impairs substantive rights.

Issues:

1. Whether or not a civil case for damages based on an independent civil action under Articles 32, 33, 34, and 2176 of the New Civil Code can be dismissed for failure to reserve the right to file separately in a criminal case arising from the same act.
2. If the strict interpretation of Rule 111, Section 1 of the Rules of Court, which entails the reservation requirement, infringes upon a substantive right contrary to law.

Court's Decision:

The Supreme Court denied the petition and affirmed the decision of the Court of Appeals in toto. The Court upheld the procedural requirement set out in Section 1, Rule 111 of the 1985 Rules on Criminal Procedure, as amended in 1988, which necessitates reserving the right to bring separate civil actions for recovery of civil liability. The Court emphasized that the requirement is procedural and does not impair, diminish, or defeat substantive rights. It serves to avoid multiplicity of suits, prevent delays, and promote efficiency in the justice system. Thus, Hambon should have reserved his right to institute the civil action separately

in Criminal Case No. 2049. Failing to do so, the civil case Hambon subsequently filed was dismissed along with the criminal case upon its provisional dismissal.

Doctrine:

The Supreme Court reiterated the doctrine that civil actions to recover liability arising from crime and under Articles 32, 33, 34, and 2176 of the Civil Code are deemed impliedly instituted with the criminal action unless the right to file them separately is reserved, waived, or such civil actions are previously instituted.

Class Notes:

- A civil action derived from a criminal offense is deemed impliedly instituted with the criminal action unless there's a waiver, an express reservation is made, or the civil action is filed before the criminal case.
- To preserve the right to file a separate civil action, express reservation must be made during the pendency of the criminal case.
- The dismissal of a criminal case where no reservation has been made for filing a separate civil action will result in the dismissal of the impliedly instituted civil action.
- The rule on reservation is procedural and not meant to alter substantive rights—it's made to foster orderly procedures and efficiency within the legal system.

Historical Background:

The legal principle that the civil aspect is deemed instituted with the criminal action is rooted in the need to streamline legal processes and reduce the burden on judicial resources. Over time, procedural rules related to this principle have evolved, with amendments specifying when and how parties must reserve the right to file separate civil actions to recover damages. This case exemplifies a tension between procedural efficiency and individual substantive rights, highlighting the necessity for clear procedural directives that maintain the balance between justice for plaintiffs and defendants, and avoiding redundant or conflicting legal actions.