

Title: People of the Philippines vs. Danilo Castigador, Celso Solomon, and Eduardo Bañes

Facts:

The case revolves around the death of three Civilian Volunteer Organization (CVO) members—Hernando Villegas, Jose Villegas, and Benito Basug, Jr.—in Lemery, Iloilo on November 25, 1991. The accused, all members of the Citizens Armed Forces Geographical Unit (CAFGU), conducted a nighttime patrol and fired at three figures in a rice field, mistakenly believing they were members of the New People’s Army (NPA).

According to the prosecution’s witnesses, the accused had interacted with the victims earlier that day, thus should have been able to recognize them. The prosecution argued that the attack was deliberate and fueled by previous altercations. The defense, however, claimed they were conducting combat operations against the NPA and had been fired upon first, responding in self-defense.

Initially, the Regional Trial Court (RTC) of Iloilo City found the accused guilty of murder, based on credible testimonies from prosecution witnesses and physical evidence. The RTC rejected the defense’s claims, citing treachery and the apparent familiarity between the accused and the victims. The Court of Appeals affirmed the RTC’s decision, with modifications to damages awarded.

The case proceeded to the Supreme Court upon the accused’s appeal challenging the appreciation of the defense of mistake of fact and the RTC’s ruling that treachery qualified the killing as murder.

Issues:

1. Whether the trial court erred in not appreciating the defense of mistake of fact.
2. Whether the trial court erred in ruling that the aggravating circumstance of treachery qualified the killing to murder.

Court’s Decision:

The Supreme Court dismissed the appeal and affirmed the decision of the Court of Appeals, which had upheld the RTC’s finding of guilt for the crime of murder. The Supreme Court analyzed the applicability of mistake of fact and the presence of treachery as follows:

1. The Court ruled that mistake of fact as a defense did not apply to the case since the accused should have recognized the victims, given the visibility conditions and prior interaction. Thus, the accused could not claim they acted without fault or carelessness.

2. As for fulfilling their duty, the Court held that the accused's actions contradicted the performance of a legitimate duty, considering the attack's vicious nature and the lack of threat posed by the victims.

3. The Court found the killings to be qualified by treachery, as the victims were caught off guard and gave no chance to defend themselves, thereby affirming the ruling of murder.

Doctrine:

The defense of mistake of fact in criminal law applies only when the mistake is made without fault or carelessness and should not be due to negligence or bad faith. The justifying circumstance of fulfilling a duty requires acting in the performance of a duty and the injury or offense being a necessary consequence of such duty, absent which, the accused cannot claim this defense. Furthermore, for treachery to be appreciated as a qualifying circumstance in murder, the attacker must employ means that ensure execution without risk to themselves and consciously adopt such means.

Class Notes:

1. For mistake of fact to be valid, it must be an honest and reasonable misapprehension of fact lacking fault or carelessness.
2. Fulfillment of duty has two requisites: the act is done in performance of a duty or exercise of a lawful right, and the act committed is a necessary consequence of the due performance of such duty/right (People v. Oanis).
3. Treachery requires the attacker employs means to ensure the attack's execution without risk to them from any defensive acts the victim might make; the means must be deliberately or consciously chosen (Paragraph 16, Article 14 of the RPC).

Historical Background:

The case reflects the volatile climate in the Philippines in the early 1990s, a period of counter-insurgency operations against rebel groups like the NPA. CAFGU units were often deployed in rural areas to combat insurgent activities, and the nature of the conflict led to heightened tensions and occasionally resulted in mistaken identities and wrongful killings, such as in this case. The factual backdrop underscores the importance of rules of engagement and proper identification in combat operations to prevent unnecessary loss of life and miscarriage of justice.