

Title

Juan Ponce Enrile vs. Hon. Omar U. Amin, et al.

Facts

Senator Juan Ponce Enrile was charged with rebellion complexed with murder in the Regional Trial Court (RTC) of Quezon City and separately for violating Presidential Decree (PD) No. 1829 in the RTC of Makati for allegedly harboring or concealing Ex-Col. Gregorio “Gringo” Honasan, a fugitive, in his house. Enrile filed an Omnibus Motion to hold in abeyance the issuance of a warrant of arrest and to dismiss the case, which was denied by Judge Ignacio Capulong. Upon denial of his Motion for Reconsideration and Quash/Dismiss the Information, Enrile approached the Supreme Court (SC) on Certiorari, arguing among other things that the facts charged do not constitute an offense and that the charge under PD No. 1829 is absorbed in the charge of rebellion.

The procedural journey began with the filing of the cases at the RTC level and moved to the SC when Enrile filed a petition for certiorari following the RTC’s refusal to dismiss the case against him.

Issues

1. Whether the petitioner, Juan Ponce Enrile, could be charged separately for violation of PD No. 1829 notwithstanding the rebellion case filed against him.
2. Whether the act of harboring or concealing a person seen as a component of rebellion could form a separate offense under PD No. 1829.
3. The applicability of the doctrine of absorption of common crimes in rebellion, as established in previous rulings such as *People v. Hernandez*.
4. The procedural fairness of the charges against Enrile, including the presence or absence of double jeopardy.

Court’s Decision

The SC granted Enrile’s petition, quashing the Information in Criminal Case No. 90-777 (for violating PD No. 1829). The Court echoed the doctrine from the *People v. Hernandez* case, asserting that when common crimes are committed as a means to, or an effect of, rebellion, they cannot be charged separately from rebellion since these acts are seen as absorbed by the crime of rebellion. This principle was applied to Enrile’s act of harboring Honasan,

deeming it a component of the rebellion charge and not a separate offense under PD No. 1829. The Court reasoned that all offenses—whether under a special law or general law—committed in furtherance of rebellion are absorbed by the crime of rebellion.

Doctrine

The Supreme Court reiterated the doctrine from *People v. Hernandez*, stating that common crimes committed as part of, or in furtherance of, rebellion are absorbed by the crime of rebellion and cannot be the basis of separate charges. The same principle now extends to offenses under special laws if committed in the advancement of rebellion.

Class Notes

- **Absorption Principle**: In rebellion cases, any common crime or offense under a special law committed to achieve a political purpose or in furtherance of rebellion is absorbed by the rebellion charge and cannot be prosecuted separately.
- **Article 134 and 135 of the Revised Penal Code**: Defines rebellion and the penalties associated therewith. Rebellion charges encompass all acts executed in pursuit of the political objective, rendering any common crime or special law violation committed as a part thereof as not independently chargeable.
- **PD No. 1829, Section 1(c)**: This provision penalizes obstructing the apprehension and prosecution of criminal cases. In the context of this case, the act under this statute is considered absorbed by the rebellion charge if done in furtherance of rebellion.
- **People v. Hernandez Doctrine**: Asserts that other offenses committed on the occasion of, or in connection with, rebellion are absorbed by the crime of rebellion and don't warrant separate indictments.

Historical Background

The case reflects the Philippines' legal intricacies in dealing with crimes of political nature, particularly rebellion, and the interplay between special laws and general criminal statutes. It also illustrates the judiciary's role in clarifying legal principles and ensuring that charges are not duplicatively pursued when components of a greater crime of political nature are involved.