

Title: People of the Philippines vs. Daniel Quijada y Circulado

Facts:

The case involves the accused-appellant Daniel Quijada who was convicted of murder and illegal possession of a firearm in its aggravated form by the Regional Trial Court (RTC) of Bohol. The murder victim was Diosdado Iroy, who was shot by Quijada using an unlicensed .38 cal. revolver on December 30, 1992, during a benefit dance in Dauis, Bohol. The murder and illegal possession of a firearm were filed as separate charges, identified as Criminal Case No. 8178 and No. 8179, respectively, and were later consolidated for joint trial.

Witnesses for the prosecution included the local Acting Chief of Police, a police officer, a medical doctor, the victim's sister, and another individual. The prosecution's narrative pointed out that Quijada, who had a prior altercation with the victim, approached Iroy from behind and shot him in the head, leading to his immediate death. On the defense side, Quijada along with other witnesses, testified in support of an alibi claiming that he was in Tagbilaran City at the time of the murder. Nevertheless, the trial court found the prosecution's evidence compelling and convicted Quijada of both charges.

Issues:

1. Whether Quijada was the assailant who shot and killed Diosdado Iroy.
2. Whether Quijada illegally possessed the firearm used in committing the murder.
3. Whether the conviction for both murder and illegal possession of firearm in its aggravated form breaches the doctrine against double jeopardy.

Court's Decision:

The Supreme Court upheld the RTC's decision finding Quijada guilty of murder and illegal possession of firearm in its aggravated form. The Court refuted the defense of alibi, stating the positive identification by a credible witness was sufficient to sustain the conviction. Furthermore, the Court reiterated the distinction between crimes *mala in se* (like murder) and *mala prohibita* (like illegal possession of firearm), emphasizing that possessing an unlicensed firearm used to kill constitutes two separate offenses warranting separate punishments.

Doctrine:

The decision reinforced the doctrine established in several previous cases that committing homicide or murder using an unlicensed firearm constitutes two separate offenses: (1) homicide or murder under the Revised Penal Code and (2) aggravated illegal possession of

firearm under P.D. No. 1866. The Court clarified that the constitutional prohibition against double jeopardy does not apply in this context as the crimes are punished under different laws.

Class Notes:

- Crimes can either be mala in se, which involve moral turpitude, or mala prohibita, which are wrong due to being prohibited by law.
- The use of an unlicensed firearm in the commission of homicide or murder constitutes two separate offenses:
  1. The homicide or murder under the Revised Penal Code.
  2. Aggravated illegal possession of a firearm under P.D. No. 1866.
- The positive identification of an accused by a credible witness can outweigh an alibi defense, especially where the place of alibi is within possible reach of the crime scene.
- The rule against double jeopardy does not apply to prosecutions for offenses penalized under different statutes, even if arising from the same act.

Historical Background:

This case unfolds within the context of the Philippine legal system where the possession of firearms is heavily regulated and penalized under specific laws, reflecting the state's campaign against uncontrolled proliferation of firearms and, consequently, crime rates. The ruling underscores the judiciary's steadfast adherence to delineating and punishing acts mala in se and mala prohibita, especially concerning crimes that have significant implications on public safety and order.