

Title:

****Sergio del Rosario vs. The People of the Philippines****

Facts:

Sergio del Rosario, together with Alfonso Araneta and Benedicto del Pilar, were accused and subsequently convicted for the illegal possession of forged Philippine treasury notes in Davao City on June 23, 1955. Initially, they showed Apolinario del Rosario (complainant) genuinely issued Philippine one-peso and two-peso bills (Exhibits C, E, G, and H), which had been altered in a manner to deceive the complainant into believing they were counterfeit, manufactured by the defendants. They solicited P1,700 from the complainant under the pretense of requiring funds to produce more counterfeit notes. The alterations consisted of erasing and changing digits in the serial numbers of these genuine notes to give them the appearance of counterfeit money.

Following their conviction by the Court of First Instance of Davao, the decision was affirmed by the Court of Appeals with an adjustment in the sentencing. The appellate court increased the maximum penalty to 10 years, 8 months, and 1 day of **prision mayor**. Del Rosario appealed this decision to the Supreme Court through a petition for certiorari, challenging the legality of their sentence based on the nature of the currency in their possession.

Issues:

1. Whether the possession of genuine treasury notes, which had been altered in some of their figures, letters, words, or signs, constitutes a violation of Article 168 of the Revised Penal Code.

Court's Decision:

The Supreme Court found no merit in del Rosario's appeal. The Court clarified that under Articles 168 and 169 of the Revised Penal Code, knowingly using or possessing false or altered treasury notes, even if originally genuine, with intent to use, is punishable. The alterations observed on the notes' serial numbers were intended to deceive and thus fell squarely within the realm of illegal acts as described under the pertinent articles of the Penal Code. Therefore, the conviction of del Rosario and his co-defendants was affirmed, and the sentence, as modified by the Court of Appeals, was upheld.

Doctrine:

This case reaffirms the doctrine that alteration of genuine currency notes, intended to deceive, constitutes illegal possession and use of counterfeit currency under Articles 168 and 169 of the Revised Penal Code.

Class Notes:

- ****Key Elements:**** Illegal possession and use of counterfeit currency; Alteration of genuine notes to deceive.
- ****Relevant Statutes:**** Articles 168 (“Illegal possession and use of false treasury or bank notes and other instruments of credit”) and 169 (“How forgery is committed”) of the Revised Penal Code.
- ****Application:**** Any alteration of genuine currency that changes figures, letters, words, or signs to give the appearance of a true and genuine document, with knowledge and intent to use, is punishable.
- ****Simplified Doctrine:**** Possessing or using altered genuine currency with intent to defraud is a punishable offense under the Philippine Revised Penal Code.

Historical Background:

This case stems from a period of heightened vigilance against currency counterfeiting in the Philippines. The legal definitions and penalties for counterfeiting were clearly laid out in the Revised Penal Code as a deterrent against the proliferation of false currency, which has implications for economic stability and public trust. The decision in *Sergio del Rosario vs. The People of the Philippines* emphasizes the importance of maintaining the integrity of the Philippine currency and the legal repercussions for those attempting to undermine it through counterfeiting or alteration.