

Title:

****People of the Philippines vs. Ma. Theresa Pangilinan****

Facts:

On September 16, 1997, Virginia C. Malolos filed an affidavit-complaint for estafa and violation of Batas Pambansa Blg. 22 against Ma. Theresa Pangilinan with the Quezon City Prosecutor's Office, alleging Pangilinan issued nine dishonored checks totaling PHP 9,658,592.00. On December 5, 1997, Pangilinan filed a civil case against Malolos in the Valenzuela RTC (Case No. 1429-V-97) for accounting and specific performance, among others. Subsequently, on December 10, Pangilinan petitioned for suspension of criminal proceedings in Quezon City due to the civil case, claiming a prejudicial question existed. This petition was approved on March 2, 1998, by the Quezon City City Prosecutor.

Discontented, Malolos elevated the suspension decision to the DOJ, leading to a reverse resolution on January 5, 1999, by then Justice Secretary Serafin Cuevas. Cuevas ordered the filing of information for violation of BP Blg. 22 for two of the checks, dismissing charges related to the remaining checks. Consequently, two BP Blg. 22 violation cases were filed against Pangilinan on February 3, 2000.

Pangilinan moved to quash the charges on June 17, 2000, arguing the offenses had prescribed. The Quezon City MeTC, Branch 31, granted the motion on October 5, 2000. Malolos filed an appeal, leading to a July 27, 2001 RTC decision reversing the MeTC's order and reinstating the cases.

Pangilinan then filed a petition for review on certiorari under Rule 45 with the Supreme Court, which was referred to the CA in September 2002. The CA on March 12, 2002, decided in favor of Pangilinan, dismissing the charges on the grounds of prescription, going against the RTC's decision.

The Office of the Solicitor General, on behalf of the People of the Philippines, filed a petition with the Supreme Court, challenging the CA's application of the prescriptive period.

Issues:

1. Whether the filing of the affidavit-complaint with the Office of the City Prosecutor of Quezon City on September 16, 1997, interrupted the period of prescription for the offense of violation of BP Blg. 22.
2. Whether the CA erred in determining the commencement of the prescriptive period and the interruption thereof by judicial proceedings.

Court's Decision:

The Supreme Court granted the petition, reversing and setting aside the CA's decision. The Court held that the filing of the complaint with the Office of the City Prosecutor interrupted the prescriptive period for the offense charged under BP Blg. 22. The Court found that the CA erred in not considering the filing with the City Prosecutor's Office as an interruption of the prescriptive period. The Supreme Court distinguished this case from prior jurisprudence, emphasizing that there's no distinction between offenses under special laws and the Revised Penal Code regarding the interruption of prescription by instituting proceedings. Consequently, the Court ordered the DOJ to re-file the information against Pangilinan.

Doctrine:

1. The filing of a complaint for a criminal offense with the Fiscal's Office interrupts the prescriptive period for offenses charged under BP Blg. 22 and other special laws.
2. Proceedings for the prosecution of offenses under special laws are considered instituted upon filing the complaint with the relevant prosecutor's office, not only upon filing with the court.

Class Notes:

- ****Prescriptive Period for Special Laws (Act No. 3326)****: Violations under special laws prescribe in accordance with the timeframes set forth, with a four-year prescriptive period for those punishable by imprisonment of more than one month but less than two years.
- ****Interruption of Prescription****: The filing of a complaint or information with the prosecuting office (City Prosecutor, Fiscal's Office) interrupts the running of the prescriptive period for both offenses under the Revised Penal Code and special laws.
- ****Judicial Proceedings and Prescription****: Initiating proceedings against an accused, whether through administrative or criminal processes, can interrupt the prescription period, extending the time within which charges must be formally filed.

Historical Background:

The decision in this case reflects the evolving jurisprudence on how procedural steps, such as the filing of complaints with prosecuting authorities, impact the calculation and interruption of prescriptive periods for criminal offenses under Philippine law. It underscores the judiciary's adaptation to ensure that legal mechanisms do not unduly favor the accused to the detriment of the complainant's right to seek justice, particularly through the exploitation of procedural technicalities and delays.