

****Title:**** People of the Philippines vs. Fernando Sultan y Lato

****Facts:****

On 2 June 1997, Juditha M. Bautista was accosted by Fernando Sultan y Lato in Novaliches, Quezon City. Sultan, armed with a sharp instrument, declared a hold-up and took Bautista to his house. He forcibly divested her of her wristwatch, ring, earrings, necklace, and cash. Subsequently, under threat of violence, Sultan sexually assaulted Juditha twice over the course of the night. Juditha attempted to escape by feigning willingness to elope, and was eventually allowed to leave at noon the following day.

Once home, she immediately told her sister, who called their brother, SPO1 Fernando M. Bautista. SPO1 Bautista orchestrated a plan wherein Juditha pretended to go through with the elopement in order to facilitate the arrest of Sultan. Juditha, accompanied by family, went to accost Sultan, which led to his arrest after a commotion in a passenger bus.

At the police station, Juditha identified Sultan as her assailant, and a medical examination confirmed a fresh laceration on her hymen. An Information charging Sultan with the special complex crime of robbery with rape was filed, and the trial court found Sultan guilty on 5 June 1998, sentencing him to reclusion perpetua and ordering restitution for the stolen items and payment of damages.

****Issues:****

1. Whether the trial court erred in finding Sultan guilty of robbery with rape based on Juditha's testimony.
2. Whether the testimony on the robbery of valuables was credible given the lack of corroborative evidence and Juditha's behavior.
3. Whether Juditha's submission to Sultan was consensual given her perceived lack of resistance.
4. Whether the additional rape committed on the same occasion should be considered an aggravating circumstance.

****Court's Decision:****

The Supreme Court affirmed the trial court's decision with modifications. It ruled:

1. ****Credibility of Testimony:**** The trial court's assessment of Juditha's credibility, characterized by firm and straightforward answers, was upheld. The court found no fault in the testimonial evidence proving the robbery and rape.

2. **Robbery Conviction:** The court validated the conviction for robbery, stating that Juditha's testimony about the stolen valuables was credible. The absence of her demands for restitution post-threat did not negate the occurrence of robbery.

3. **Rape Conviction:** The court rejected Sultan's argument of consensual sex. The intimidation she faced, including the threat with an ice pick and the physical act of dragging her to his house, led to a loss of her free will. Intimidation sufficient to make her submit was adequately proven, and her lack of resistance was deemed understandable given the circumstances.

4. **Aggravating Circumstances:** Consistent with *People v. Regala*, the court did not consider the additional rape as an aggravating circumstance, citing the need for legislative action to address this anomaly. Sultan was thus sentenced to *reclusion perpetua* without adjusting for the second rape instance.

Doctrine:

- **Credibility of Witness Testimony:** Trial court's witness credibility assessments are given high deference and upheld unless shown to be patently wrong.
- **Requisites for Robbery Conviction:** The elements include personal property belonging to another, unlawful taking, intent to gain, and violence or intimidation.
- **Intimidation in Rape:** Intimidation sufficient to induce submission, viewed subjectively from the victim's perception, is sufficient for a rape conviction.
- **Multiple Rapes in Context of Robbery:** The court reiterated that additional rapes occurring within a single robbery incident are not treated as aggravating circumstances absent legislative provision.

Class Notes:

- **Elements of Robbery (Article 293, Revised Penal Code):** Personal property, unlawful taking, intent to gain, violence/intimidation.
- **Rape (Article 335, Revised Penal Code):** Engaging in sexual intercourse against a person's consent through force, threat, or intimidation.
- **Intimidation Standard:** Viewed subjectively from the victim's perspective and the totality of circumstances at the time.
- **Doctrine of Witness Credibility:** High deference to trial court's findings unless clear error is shown.
- **Legislative Gap:** No additional rape as aggravating circumstance without legislative action.

****Historical Background:****

This case illuminates the legal complexities in addressing crimes where multiple offenses intersect, namely robbery and rape. The historical context underscores the evolving judicial recognition of the nuances within composite crimes and the judicial interpretation waiting on legislative clarification for multiple offenses arising simultaneously. The decision further reflects long-standing doctrines on witness credibility and the subjective nature of intimidation in rape cases, mirroring shifting societal understandings of victim experiences and judicial responsibilities.