

****Title**:** People of the Philippines vs. Edwin Reafor y Comprado

****Facts**:**

- ****January 21, 2017**:** Edwin Reafor y Comprado (respondent) was charged by the Regional Trial Court (RTC) of Naga City, Branch 24, for the illegal sale of dangerous drugs under Section 5, Article II of Republic Act (RA) 9165 (Comprehensive Dangerous Drugs Act of 2002). He allegedly sold two heat-sealed sachets containing 0.149 grams of shabu.
- ****July 26, 2018**:** During trial, respondent filed a Motion to Plea Bargain, citing A.M. No. 18-03-16-SC, which allows plea bargaining to a lesser offense. He proposed to plead guilty to a violation of Section 12, Article II of RA 9165, which carries a lighter penalty.
- ****Prosecution's Response**:** The prosecution objected, citing Department of Justice (DOJ) Circular No. 27, which only allows plea bargaining to violations of Section 11(3), Article II of RA 9165, carrying heavier penalties.
- ****August 24, 2018**:** The RTC granted respondent's motion to plea bargain, emphasizing the Supreme Court's rule-making authority over the DOJ's guideline. Consequently, respondent was re-arraigned, pled guilty to the lesser charge, and was convicted.
- ****November 26, 2018**:** The People, through the Office of the Solicitor General (OSG), filed a petition for certiorari under Rule 65 before the Court of Appeals (CA), challenging the RTC's orders and subsequent judgment on grounds of grave abuse of discretion. The OSG also sought a temporary restraining order and a remand for trial continuation.
- ****December 17, 2018**:** The CA dismissed the petition due to procedural lapses, noting the OSG's delay in filing and its failure to pursue a motion for reconsideration before filing the petition.
- ****May 24, 2019**:** The CA denied the petitioner's motion for reconsideration.

****Issues**:**

1. Whether the CA erred in dismissing the petition for certiorari filed by the OSG on procedural grounds.
2. Whether the RTC committed grave abuse of discretion in allowing the plea bargaining without the prosecutor's consent, contrary to DOJ Circular No. 27.

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

1. ****Procedural Grounds**:**

- The Supreme Court acknowledged the procedural missteps highlighted by the CA. The OSG failed to file the petition in time and did not provide sufficient reasons for not filing a motion for reconsideration before the RTC decision. Despite this, the Supreme Court waived these procedural lapses to prioritize substantial justice.

2. **Plea Bargaining Requirements**:

- The Supreme Court reiterated that plea bargaining requires consent from both the prosecution and the offended party, in addition to court approval.
- The Court held that while A.M. No. 18-03-16-SC provides a plea bargaining framework, it does not grant an absolute right to the accused to demand plea bargaining. It is subject to mutual agreement between the prosecution and defense, and the court's discretion.

3. **Validity of DOJ Circular No. 27**:

- DOJ Circular No. 27 was deemed valid and compatible with the Supreme Court's procedural framework. It serves as an internal guideline for prosecutors to decide on plea bargaining.
- The High Court emphasized that plea bargaining without the prosecution's consent is void, as the prosecutor's role is pivotal in prosecuting the proper offense based on the available evidence.

4. **RTC's Discretion**:

- The Supreme Court found that the RTC's decision to allow the plea bargain over the prosecution's objection was a grave abuse of discretion. Since the prosecution did not consent, the plea bargain, and the resulting conviction were void.

5. **Outcome**:

- The Supreme Court annulled the RTC's orders and judgment. It remanded the case back to the RTC for further proceedings, specifically the continuation of the trial.

Doctrine:

- A plea bargain requires the prosecutor's and offended party's consent, court approval, and the accused's guilty plea to a lesser included offense. This ensures a balanced judicial process.
- DOJ Circular No. 27 stands as a valid internal guideline for prosecutors, subject to the rule-making powers of the Supreme Court.
- Procedural rules should sometimes be relaxed to promote substantial justice, especially when a void judgment cannot attain finality.

Class Notes:

- **Key Elements/Concepts**:

- Plea Bargaining: Requires mutual consent and court approval.
- Grave Abuse of Discretion: Actions beyond permissible legal limits, warranting higher

court intervention.

- Procedural Lapses: Courts may overlook procedural errors for the sake of substantial justice.

- **Statutes/Provisions**:

- **Section 2, Rule 116, Revised Rules of Criminal Procedure**: Plea bargaining framework.

- **DOJ Circular No. 27**: Guidelines for plea bargaining in drug cases.

- **A.M. No. 18-03-16-SC**: Supreme Court's plea bargaining rule in drug cases.

- **Section 5, Article II, RA 9165**: Illegal sale of dangerous drugs.

- **Section 12, Article II, RA 9165**: Possession of equipment, instrument, apparatus, and other paraphernalia for dangerous drugs.

Historical Background:

- The plea bargaining framework in drug cases evolved to balance judicial discretion and prosecutorial authority. *Estipona v. Lobrigo* declared the initial categorical prohibition on plea bargaining unconstitutional, prompting the Supreme Court to lay down specific rules through A.M. No. 18-03-16-SC. DOJ Circular No. 27 provided a prosecutorial guideline, culminating in a legal tussle reflected in this case. The decision underscores the importance of procedural propriety and jurisdictional hierarchies in the Philippine legal system.