

****Title:****

Quizon v. Baltazar, 167 Phil. 279

****Facts:****

On November 11, 1963, Federico and Profitisa Quizon allegedly committed the offense of serious oral defamation against Cecilia Sangalang. On May 11, 1964, Sangalang, with the assistance of Assistant Provincial Fiscal Eliodoro B. Guinto, filed two separate criminal complaints for serious oral defamation against the Quizons in the Municipal Court of San Fernando, Pampanga (Criminal Cases Nos. 4203 and 4204).

When called for arraignment, the Quizons filed a motion to quash, arguing that the offense had already prescribed as of May 9, 1964, under Article 90 of the Revised Penal Code which provides that oral defamation prescribes in six months. They computed the six-month period as follows:

- November 12 to 30, 1963: 19 days
- December 1963: 31 days
- January 1964: 31 days
- February 1964: 29 days (leap year)
- March 1964: 31 days
- April 1964: 30 days
- May 1 to 9, 1964: 9 days
- Total: 180 days

The prosecution opposed, presenting a different computation, using the method described in Article 13 of the Civil Code which treats a month as having 30 days unless named specifically:

- November 12 to 30, 1963: 19 days
- December 1963 to April 1964: 30 days each
- May 1 to 11, 1964: 11 days
- Total: 181 days

The municipal court denied the motion to quash, agreeing with the prosecution's computation.

The Quizons then filed a petition for certiorari and prohibition before the Supreme Court to declare the municipal court's orders null and void, arguing that the complaint had indeed

been filed beyond the prescriptive period.

****Issues:****

1. Whether the offense of serious oral defamation prescribed before the criminal complaints were filed.
2. Whether the municipal court acted with grave abuse of discretion in denying the motion to quash.

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

The Supreme Court reviewed the case and cited the precedent set in *People v. del Rosario*, establishing that for the purpose of prescription under Article 90 of the Revised Penal Code, the term "month" is interpreted as 30 days. Consequently, the prescriptive period for oral defamation is 180 days.

The method of computation involves excluding the first day and including the last, in line with Article 13 of the Civil Code and various statutes on the computation of periods (Section 1, Rule 28 of the Rules of Court; section 13, Revised Administrative Code).

Upon applying this method, the computation established that the complaint should have been filed on or before May 9, 1964. Therefore, the filing on May 11, 1964, was indeed beyond the prescriptive period of 180 days.

The Court concluded that the municipal court's denial of the motion to quash was a grave abuse of discretion as it failed to adhere to established jurisprudence regarding the prescriptive period.

****Doctrine:****

The Court reiterated the doctrine that for the purposes of Article 90 of the Revised Penal Code, a "month" is considered as 30 days unless specifically designated otherwise. This doctrine mandates strict adherence in computing prescriptive periods for criminal offenses, ensuring precise legal uniformity.

****Class Notes:****

1. ****Prescription of Crimes:**** Article 90, Revised Penal Code - Oral defamation prescribes in six months.
 - **Six months** interpreted as **180 days**.
2. ****Computation Rules:**** Articles 13 of the Civil Code and related jurisprudence.
 - Exclude the first day, include the last day.

3. **Certiorari & Prohibition:** Proper when denial of a motion to quash may cause unjust harm by forcing a trial on a patently defective complaint.

Historical Background:

This case reinforces the procedural necessity and fairness in criminal prosecutions. It arose in a period where the precision of procedural rules in the Filipino judiciary was under scrutiny, highlighting judicial adherence to procedural statutes to ensure fair administration of justice. The precedent set serves to emphasize the importance of accurately calculating prescriptive periods to avoid miscarriage of justice.