

Title: Sps. Benito Lo Bun Tiong and Caroline Siok Ching Teng vs. Vicente Balboa (G.R. No. 163597, November 15, 2007)

Facts:

1. **February 24, 1997:** Vicente Balboa filed Civil Case No. 97-82225 for Collection of Sum of Money against spouses Benito Lo Bun Tiong and Caroline Siok Ching Teng in RTC Manila, Branch 34, based on three dishonored checks issued by Caroline amounting to P5,175,250.00.
2. **July 21, 1997:** Separate criminal complaints for violation of Batas Pambansa Blg. 22 (B.P. No. 22) were filed against Caroline in the MTC Manila, Branch 10, covering the three checks (Criminal Case Nos. 277576-78).
3. **August 11, 1998:** The RTC rendered a decision in Civil Case No. 97-82225 finding petitioners liable and ordered them to pay the plaintiff P5,175,250.00 plus interest, attorney's fees, and costs.
4. **December 5, 2001:** The MTC acquitted Caroline of the violation of B.P. No. 22 but found her civilly liable for the amounts of the checks.
5. **April 12, 2002:** Petitioners' partial reconsideration of the MTC's civil indemnity was denied.
6. **Appeal and CA:** Caroline appealed to the RTC against the MTC's decision (Criminal Case Nos. 02-204544-46), while petitioners appealed the RTC decision in Civil Case No. 97-82225 to the CA (CA-G.R. CV No. 61457).
7. **November 20, 2002:** The CA dismissed petitioners' appeal for lack of merit.
8. **April 21, 2003:** CA resolution denied petitioners' motion for reconsideration.
9. **May 8, 2003:** The RTC, acting as an appellate court, deleted the award of civil damages in Criminal Case Nos. 02-204544-46.
10. **Appeal to Supreme Court:** Petitioners challenged the CA decision and resolution, arguing forum shopping and double recovery.

Issues:

1. Whether filing of Civil Case No. 97-82225 and Criminal Cases Nos. 277576 to 78 by Vicente Balboa constitutes forum shopping.
2. Whether there exists a double recovery for the same obligation.

Court's Decision:

1. **Forum Shopping:**
- The Supreme Court found no forum shopping because Civil Case No. 97-82225 was filed prior to the criminal complaints.

- According to the 1985 Rules of Court, a civil action for the recovery of civil liability arising from a criminal offense can proceed independently of the criminal action if filed beforehand.
- The Court distinguished this case from others under Circular No. 57-97 (effective September 16, 1997), which prescribes that criminal actions for B.P. No. 22 violations include the corresponding civil action unless filed prior.

2. ****Double Recovery:****

- There was no double recovery as the RTC already deleted the award of civil damages in the related criminal actions.
- The decision of the RTC in the criminal case to delete civil damages ensured no unjust enrichment occurred.

Doctrine:

- ****1985 Rules of Court, Section 1, Rule 111:**** A civil action to recover civil liability is impliedly included with a criminal action unless the civil action was filed before the criminal action.
- ****Supreme Court Circular No. 57-97:**** States criminal actions for B.P. No. 22 violations include the corresponding civil action and prohibit separate civil actions filed afterwards, barring reserving such action, effective after its adoption date.
- ****Hyatt Industrial Manufacturing Corp. v. Asia Dynamic Electrix Corp.; Silangan Textile Manufacturing Corp. v. Demetria:**** Established that filing separate civil and criminal actions either results in consolidation or dismissal of the later filed action to avoid double payment.

Class Notes:

- ****B.P. No. 22 Violations:**** Issuance of bouncing checks constitutes criminal liability. Civil action for recovery due to such issuance can only proceed separately if filed before the criminal case.
- ****Rule 111 of 1985 and 2000 Rules of Court:**** Importance of understanding when a civil action is deemed included within a criminal action and what exceptions apply.
- ****Doctrine of Forum Shopping:**** Simultaneous filing of multiple cases based on the same facts intending to get a favorable decision constitutes forum shopping.
- ****Consolidation and Dismissal:**** For efficiency, civil actions for recovery accompanying criminal actions should ideally be consolidated.

Historical Background:

This decision contextualizes the legal landscape pre and post-Supreme Court Circular No.

57-97, detailing procedural rules on handling civil liabilities arising from criminal actions. The period marked changes towards judicial efficiency and reducing redundant lawsuits, emphasizing appropriate timing and solitary adjudication of civil claims inherently linked with criminal prosecutions. The case of Sps. Lo Bun Tiong vs. Balboa illustrates transitional adherence to evolving procedural directives, reflecting judiciary measures aiming to streamline case dockets and promote legal economy.