

****Title:** Arthur Cua Yap v. Sandiganbayan (Sixth Division) and People of the Philippines**

****Facts:****

- ****November 25, 2008:**** The Board of Trustees (BOT) of the Philippine Rice Research Institute (PhilRice) holds its 52nd meeting, with Arthur Cua Yap, then Secretary of the Department of Agriculture and ex-officio Chairman of PhilRice, in attendance. The board approves a car plan program for PhilRice employees, contingent on available funds and the issuance of an administrative order.
- ****Following Year - January 30, 2009:**** PhilRice Executive Director Ronilo A. Beronio issues Administrative Order No. 2009-05, detailing the rules for the implementation of the contentious car plan project.
- ****June 19, 2009:**** During the 54th BOT meeting, discussions regarding the execution of Hold Out Agreements (HOAs) with Philippine National Bank (PNB) occur. Despite recognizing potential disadvantages, the project proceeds under AO No. 2009-05.
- ****Post-Meeting:**** The Office of the Ombudsman - Field Investigation Office (OMB-FIO) implicates petitioner and BOT members for violations of anti-graft laws alleging disadvantageous transactions causing government injury.
- ****September 1, 2016:**** The Ombudsman issues a Resolution finding probable cause to indict petitioner for violation of Sections 3(e) and 3(g) of RA No. 3019 but dismisses malversation charges.
- ****June 20, 2017:**** The Ombudsman denies the reconsideration of its Resolution.
- ****September 29, 2017:**** Two separate Informations are filed against petitioner before the Sandiganbayan.
- ****Procedural Posture:**** Petitioner files a Motion to Quash the Informations on grounds of non-participation during the critical 54th BOT meeting and the inordinate delay in preliminary investigation. The Sandiganbayan denies the motion. Petitioner seeks reconsideration but is denied once again, leading him to file the present Petition for Certiorari before the Supreme Court on grounds of grave abuse of discretion by the Sandiganbayan and violation of his right to speedy disposition of cases.

****Issues:****

1. Whether the Sandiganbayan committed grave abuse of discretion in refusing to quash the Informations despite evidence of petitioner's non-participation in the acts charged.
2. Whether there was a violation of petitioner's constitutional right to a speedy disposition of cases due to inordinate delay in the preliminary investigation by the Office of the Ombudsman.

Court's Decision:

- **First Issue (Non-Participation):** The Supreme Court did not address this issue in detail beyond noting that it was rendered moot by the resolution of the second issue.
- **Second Issue (Speedy Disposition of Cases):** The Supreme Court ruled that petitioner's right to speedy disposition of cases was violated. The period of three years, six months, and two days taken by the Ombudsman to complete the preliminary investigation exceeded permissible periods set by law and jurisprudence. The Court applied the guidelines from *Cagang v. Sandiganbayan*, finding no justification for the delay and ruling that the delay thereby caused prejudice to the petitioner.

Doctrine:

1. **Right to Speedy Disposition of Cases:** As defined under Section 16, Article III of the Constitution, this right necessitates that any party can demand expeditious action from all officials tasked with the administration of justice. This right is paramount in criminal cases for the protection of an accused's life and liberty.
2. **Inordinate Delay in Preliminary Investigation:** As elucidated in *Cagang v. Sandiganbayan*, preliminary investigations must be conducted within reasonable periods, and delays beyond the standard period are presumed to prejudice the accused unless justified. The burden of proof shifts to the prosecution to demonstrate the necessity and reasonableness of such delays.

Class Notes:

- **Elements of Section 3(e) of RA No. 3019:**
 1. Public officer committing the act.
 2. Acts done with manifest partiality, evident bad faith, or gross inexcusable negligence.
 3. Causing undue injury to a party, including the government, or giving any private party unwarranted benefits, advantage, or preference.
- **Section 3(g) of RA No. 3019:** Involves entering into contracts or transactions which are grossly and manifestly disadvantageous to the government.

Historical Background:

This case is situated within the broader context of intensified governmental efforts to combat corruption in the Philippines, especially post the creation of the Office of the Ombudsman through the 1987 Constitution. The case's focus on procedural rights highlights ongoing challenges in balancing thorough investigations with timely justice delivery. The resultant jurisprudence ensures protections against prolonged pre-trial processes—reinforcing the constitutional mandate for swift case disposition as a measure

against corruption and the respects of fundamental rights.