

****Title:**** People of the Philippines vs. Pedro Pagal y Marcelino and Jose Torcelino y Torazo (169 PHIL 550)

****Facts:****

On December 26, 1969, in Manila, Pedro Pagal and Jose Torcelino conspired to rob their employer, Gau Guan. To execute the robbery, Pagal and Torcelino assaulted Gau Guan using an icepick and an iron pipe, causing mortal wounds that led to his death. They then stole P1,281.00 from the victim. The crime was committed with the aggravating circumstances of nighttime, evident premeditation, disrespect towards the victim, and abuse of confidence.

Upon arraignment in the Circuit Criminal Court of Manila, both accused expressed their intention to plead guilty but requested to present mitigating circumstances. The trial judge warned them of the consequences of their plea, including the possibility of a death sentence or life imprisonment. The accused confirmed their understanding and pleaded guilty.

The court proceeded to allow the accused to present evidence of mitigating circumstances, specifically their claim of provocation and acting under powerful impulses of passion and obfuscation. Upon reviewing the evidence and the prosecutor's additional evidence, the court convicted both accused of robbery with homicide and sentenced them to death, citing the presence of several aggravating circumstances.

****Issues:****

1. ****Whether the trial court erred in convicting Pedro Pagal of robbery with homicide and not solely for his individual acts.****
2. ****Whether the trial court failed to appreciate the mitigating circumstances of provocation and passion or obfuscation.****
3. ****Whether the trial court erred in considering the aggravating circumstances of nighttime, evident premeditation, and disregard of the respect due to the offended party.****

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

1. ****Conviction for Robbery with Homicide:****

The Supreme Court upheld the conviction for robbery with homicide. Pagal's claim of no conspiracy was rejected based on his plea of guilty and his signed confession. A plea of guilty admitted all facts alleged, including the conspiracy and circumstances surrounding the crime.

2. **Mitigating Circumstances:**

The Court did not find sufficient grounds to consider both provocation and passion or obfuscation as separate mitigating circumstances. Since both arose from the same incident, they should be treated as one. Furthermore, the crime was planned and executed calmly, negating passion or obfuscation as a mitigating factor. Provocation must be immediate to the act, which was not proven in this case.

3. **Aggravating Circumstances:**

- **Nighttime:** Properly considered as it was deliberately sought to facilitate the crime.
- **Evident Premeditation:** The Court clarified that evident premeditation is inherent in robbery but only aggravates a robbery-homicide if premeditation to kill is separately proven. Here, the killing happened spontaneously due to the victim's resistance.
- **Disregard of Respect:** This is applicable to crimes against persons or honor, not property. Since robbery with homicide primarily targets property, this aggravating circumstance was misapplied.

Given these findings, only one aggravating circumstance (nighttime) countered by the mitigating circumstance (plea of guilty) existed, reducing punishment to reclusion perpetua (life imprisonment) from death.

Doctrine:

1. **Plea of Guilty:** This plea admits all material facts alleged in the information, including conspiracy.
2. **Mitigating Circumstances:** Passion or obfuscation cannot mitigate a crime if it is planned and premeditated. Provocation must be immediate.
3. **Aggravating Circumstances:** Precisely defined under relevant statutes. Premeditation in robbery with homicide is inherent unless separately planned. Disrespect due to rank, age, or sex applies to personal crimes, not property.

Class Notes:

- **Conspiracy:** A plea of guilty admits co-conspirator actions (People vs. Perez).
- **Provocation:** Must be sufficient and immediate (Article 13(4), Revised Penal Code).
- **Aggravating Circumstances:** Evident premeditation needs clear separate intent to kill (Article 14(13), Revised Penal Code). Respect/rank applies only to crimes against persons or honor (People vs. Valeriano).
- **Sentencing:** Balances aggravating and mitigating circumstances (Article 63, Revised

Penal Code).

****Historical Background:****

This case occurred during a period of heightened criminal activity and intense legal scrutiny in the Philippines. The judiciary faced pressures to impose stringent sentences to deter crime. The procedural rigor around guilty pleas evolved to ensure just outcomes, emphasizing the fair admittance of confessions and mitigating circumstances in capital cases.