

### Title:

**\*\*Jibin Arula vs. Brig. Gen. Romeo C. Espino, et al.\*\***

### Facts:

In December 1967, Jibin Arula was recruited by Capt. Teodoro R. Facelo of the Armed Forces of the Philippines and transported to Corregidor Island in 1968 for training. On March 18, 1968, a shooting incident resulted in Arula sustaining serious injuries. Arula fled and filed a complaint for frustrated murder on March 23, 1968, with the City Fiscal of Cavite City against Capt. Alberto Soteco and others.

The City Fiscal issued subpoenas for a preliminary investigation scheduled on April 3, 1968. On April 2, Arula informed the Commanding Officer of the Philippine Army of his complaint, specifying that he wouldn't be filing charges with the military, as he had already done so with the civil authorities.

On April 3, army attorneys requested a postponement of the preliminary investigation to April 16, 1968, which was granted. Meanwhile, Gen. Espino had ordered a pre-trial investigation and placed the accused under technical arrest effective from March 22, 1968. On Capt. Pontejos' recommendation, Gen. Espino constituted a general court-martial on April 6, 1968.

The court-martial proceedings began on April 16, and three days later, the military counsel moved to dismiss the civil case, arguing that the civil court lost jurisdiction as the military court-martial had been convened. However, the City Fiscal rejected the motion, leading to this Supreme Court petition.

### Issues:

1. Does the petitioner have the legal standing to seek certiorari and prohibition to stop the general court-martial's proceedings?
2. Does the general court-martial have jurisdiction over the case of frustrated murder against the petitioner filed with the City Fiscal of Cavite City?

### Court's Decision:

The Supreme Court ruled as follows:

1. **\*\*Legal Standing\*\***: The Court allowed Arula to pursue the petition, choosing not to resolve the general issue on legal standing extensively. For the present case, the assumption of standing was taken ad hoc.

2. **Jurisdiction**:

- **Military Reservation**: The Court concluded that Corregidor Island remained a military reservation despite being designated as a national shrine. EO 58 from President Magsaysay did not repeal or override Proclamation No. 69, which declared Corregidor a military reservation.
- **Concurrent Jurisdiction**: The Court reaffirmed that the general court-martial, having taken cognizance ahead of the civil court, acquired exclusive jurisdiction to proceed with the trial.

**Doctrine**:

1. **Concurrent Jurisdiction**: The general court-martial has concurrent jurisdiction with civil courts over offenses committed by military personnel within a military reservation.
2. **Priority of Jurisdiction**: Once a court—civil or military—assumes jurisdiction over a case first and maintains custody over the accused, it retains exclusive jurisdiction until the matter is resolved.

**Class Notes**:

- **Article of War 94**: Governs various crimes by military personnel, punished under either military court jurisdiction or civil laws.
- **Proclamation No. 69**: Declares and preserves Corregidor as a military reservation.
- **Executive Order No. 58**: Declares Corregidor and Bataan as national shrines, opening them to the public as tourist spots but retaining parts as military zones.
- **Doctrine of Concurrent Jurisdiction**: Civil courts and military courts have concurrent jurisdiction over certain offenses, but the forum that first assumes jurisdiction retains it.

**Historical Background**:

The recruitment of Arula and the subsequent shooting incident on Corregidor Island contextually aligns with the military operations and strategic training post-World War II. The legal dispute underscores a period of transformation as Philippine society balanced military jurisdiction and civil governance, reflecting the broader civil-military relations within the context of national security and rule of law post-declaration of the area as a national shrine.