

****Title:****

Daan v. Sandiganbayan, G.R. No. 164704, November 28, 2008

****Facts:****

Joselito Raniero J. Daan, a draftsman detailed as a foreman/timekeeper in the municipality of Bato, Leyte, along with co-accused Benedicto E. Kuizon, the municipal mayor, faced criminal charges including three counts of malversation of public funds involving P3,293.00, P1,869.00, and P13,528.00, and three counts of falsification of public documents. They allegedly falsified time books and payrolls to make it appear that laborers worked on the construction of a new municipal hall building and collected salaries when, in fact, they did not.

In response to these charges, the accused offered plea bargains: they would plead guilty to the lesser offenses of falsification by a private individual and failure to render accounts by an accountable officer. The prosecution accepted these proposals, acknowledging the restitution of the misappropriated amounts and the potential strengthening of their case against the principal accused, Municipal Mayor Kuizon.

However, the Sandiganbayan (Fourth Division) rejected Daan's plea bargaining proposals, despite the prosecution's agreement. The Sandiganbayan argued that allowing such plea bargains would undermine the seriousness of the charges and the deterrent value of anti-graft laws. Daan's subsequent motion for reconsideration was also denied.

Aggrieved, Daan filed a petition for certiorari and prohibition with the Supreme Court, asserting that the Sandiganbayan committed grave abuse of discretion in denying his plea bargain.

****Issues:****

1. Whether the Sandiganbayan committed grave abuse of discretion in denying the plea bargaining proposals despite the prosecution's agreement.
2. Whether Daan, who had already restituted the allegedly malversed amounts, should be allowed to plea bargain.

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

The Supreme Court granted Daan's petition, ruling that the Sandiganbayan indeed committed grave abuse of discretion.

1. ****Grave Abuse of Discretion in Denying Plea Bargain:****

- The Court noted that plea bargaining is authorized under Section 2, Rule 116 of the Revised Rules of Criminal Procedure, which allows an accused, with the consent of the offended party and the prosecutor, to plead guilty to a lesser offense necessarily included in the offense charged.
- Although plea bargaining is subject to the trial court's discretion, the Court emphasized that such discretion should be neither arbitrary nor capricious. It must consider subsequent events and the higher interests of justice and fair play.
- The Court referenced *People of the Philippines v. Estrada*, where the Sandiganbayan allowed plea bargaining for a lesser offense upon restitution of a significantly larger amount without compromising procedural integrity.

2. **Restitution and Plea Bargain:**

- The accused had already restituted the amount of P18,860.00, and this fact bore substantial weight in deciding towards allowing the plea bargain. Further, Daan had voluntarily surrendered.
- Given the similarities to the earlier precedent in *Estrada* and the lesser gravity of his offenses, the Court found no reason why Daan's plea should not be accepted, especially given that his role was minor compared to other accused.

Doctrine:

- Plea bargaining in criminal cases involves the accused accepting a lesser offense in exchange for a lighter sentence, requiring court approval but subjected to judicial discretion considering justice and equity.
- Restitution of the malversed amounts and voluntary surrender are substantial mitigating factors influencing the acceptance of plea bargains.
- Trial courts must exercise discretion in denying plea bargains judiciously, ensuring decisions are neither arbitrary nor whimsical.

Class Notes:

- **Elements of Falsification by Private Individuals (Article 172, Revised Penal Code):**
 1. Offender is a private individual or a public officer/employee acting outside official functions.
 2. Offender commits falsification as enumerated under Article 171.
 3. The falsification occurs in a public, official, or commercial document.
- **Elements of Malversation of Public Funds (Article 217, Revised Penal Code):**
 1. Offender is a public officer.

2. Has custody or control of public funds or property.
3. Funds/property are public.
4. Offender misappropriates, takes, or consents through negligence for personal gain.

- **Elements of Failure to Render Account by an Accountable Officer (Article 218, Revised Penal Code):**

1. Offender is a public officer.
2. Offender is accountable for public funds/property.
3. Required by law to render accounts.
4. Fails to render the account within two months.

Historical Background:

This decision contextualizes within the Philippine judiciary efforts to balance stringent anti-graft principles with equitable judicial reconsideration, especially regarding plea bargaining processes. By addressing plea bargaining fairness and employing restorative justice practices, the judiciary aims to demonstrate procedural justice in graft and corruption cases, maintaining the sanction's deterrent value while ensuring equitable relief based on case specifics. This reflects a broader effort in Philippine jurisprudence to accommodate equitable considerations without undermining legal principles in addressing graft cases.