

People of the Philippines vs. Danilo Roque and Ernesto Roque, G.R. No. 91345

Facts:

On August 18, 1987, Eduardo Macam, Antonio Cedro, Eugenio Cawilan, Jr., Danilo Roque, and Ernesto Roque conspired to rob the residence of Benito Macam in Quezon City.

- **Incident day**: Eduardo Macam, a relative of Benito Macam, entered the house under the pretense of a visit and invited his companions inside.

- **Robbery and Violence**: After a meal, Eduardo Macam pulled out a gun and announced a hold-up. The group tied up the household members and ransacked the place, taking valuables worth approximately P536,700.00. During the incident, they attacked the family: Leticia Macam was killed, and Benito Macam, Nilo Alcantara, and Salvacion Enrera were seriously injured.

- **Arrest and Proceedings**: Following the robbery, Danilo and Ernesto Roque were arrested without a warrant and later identified by the victims during a police line-up. Criminal charges were filed against the five main perpetrators (including Danilo and Ernesto Roque), with three co-accused changing their pleas to “guilty” post-prosecution evidence presentation. The trial proceeded for Danilo and Ernesto, resulting in their conviction for Robbery with Homicide.

Issues:

1. **Validity of Arrest**:

- Were the appellants’ constitutional rights violated due to their arrest without a warrant and the subsequent identification process?

2. **Proof of Guilt**:

- Was the guilt of Danilo and Ernesto Roque proven beyond a reasonable doubt, including their alleged conspiracy in the robbery and homicide?

3. **Nature of Crime**:

- Should appellants be charged with separate crimes of robbery and homicide or a single complex crime of Robbery with Homicide?

Court’s Decision:

1. **Valid Arrest and Identification**:

- Appellants’ challenge on the legality of their arrest was rejected since they did not move to quash the information before the trial court and voluntarily participated in the trial.

- The custodial investigation and subsequent identification were deemed procedurally flawed, yet in-court identification was unobjected and thus admissible.

2. **Proof of Guilt**:

- The testimonies of the prosecution witnesses were credible and consistent, affirming that Danilo was actively involved in the robbery and homicide. Ernesto, though claiming innocence, was implicated as a lookout.

- Appellants' defenses were dismissed due to their inconsistent and uncorroborated nature.

3. **Complex Crime of Robbery with Homicide**:

- The Court maintained that due to the resultant homicide amid the robbery, all involved, regardless of direct participation in the killing, were guilty of Robbery with Homicide.

4. **Civil Liability**:

- The damages awarded to the heirs of Leticia Macam were increased to P50,000.00, reflecting standard indemnification and deleting redundant phrasing in the lower court's decision.

Doctrine:

The case reiterates several doctrines:

- Jurisdiction and Legal Presumption: Challenges to arrest and questions of guilt must be timely raised; otherwise, irregularities may be deemed waived by participation.

- Conspiracy: All participants in a conspiracy are equally liable for the outcomes directly resulting from the commission of a primary crime.

- Custodial Examination and Identification: Identifications made during unconstitutional line-ups (without counsel) are inadmissible if challenged; however, independent in-court identifications hold unless contested.

Class Notes:

1. **Elements of Robbery with Homicide** (Article 294(1) of the Revised Penal Code):

- Intent to gain.

- Unlawful taking of personal property.

- Accomplished through violence or intimidation.

- Homicide committed on the occasion or as a consequence of the robbery.

2. **Procedural Principles**:

- Estoppel: Failure to raise procedural issues timely results in waiver.

- Independent Origin Rule: Unobjected in-court identifications do not require proof of

independent origin if line-ups are claimed as tainted.

3. **Relevant Constitutional Provisions**:

- Section 12, Article 3, 1987 Philippine Constitution: Right to counsel and against self-incrimination.

Historical Background:

This case reflects the heightened criminal activities involving violence during the late 1980s in the Philippines and underscores the judiciary's emphasis on protecting constitutional rights while ensuring the prosecution of heinous crimes like robbery with homicide. The decision reinforces jurisprudence around procedural safeguards and effective judicial processes amid rampant criminality.