

### Title:

People of the Philippines vs. Pedro Sasan Bariquit, Cristituto Sasan Bariquit, Baselino Lascaña Repe, Emegdio Lascaña, Jr.

### Facts:

On February 8, 1994, around 2:00 AM in Naga, Cebu, the victims Simon and Corazon Hermida were found murdered in their home. The accused Pedro Bariquit, Cristituto Bariquit, Emegdio Lascaña, and Baselino Repe were implicated. Emegdio and Baselino were brothers, Cristituto and Pedro were brothers, and Rogelio Lascaña, who turned state witness, was their nephew. Baselino was taken as a state witness due to his minority at the time of the crime.

Initially, Pedro Bariquit pleaded guilty but later retracted and changed his plea to not guilty. Baselino Repe also denied involvement, narrating how Pedro and Emegdio, under the command of Cristituto, killed the Hermida spouses and stole valuables. Rogelio Lascaña's testimony corroborated Baselino's account, and Dr. Florencio Ubas, the medico-legal officer, confirmed the cause and nature of the victims' injuries. The police obtained money and a necklace from the accused, which were later deemed inadmissible as evidence due to procedural violations.

### Issues:

1. Whether the testimony of the state witness Rogelio Lascaña met the requirements to discharge him as a state witness.
2. Whether the custodial confessions and object evidence were admissible.
3. Whether the prosecution proved the guilt of the accused-appellants beyond a reasonable doubt.
4. Whether the elements of conspiracy and the crime of robbery with homicide were adequately established.
5. Whether the mitigating and aggravating circumstances aptly influenced the sentencing.

### Court's Decision:

The Supreme Court ruled:

1. **\*\*Discharge of Rogelio Lascaña as State Witness\*\***: The Court held that Rogelio's testimony was substantially corroborated by other witnesses and evidence, meeting the requisites for discharge under Rule 119, Section 9 of the Rules of Court.
2. **\*\*Admissibility of Confessions and Evidence\*\***: The confessions made during custodial

interrogation without the presence of counsel were inadmissible, as they violated constitutional rights. Consequently, object evidence obtained through these confessions was considered “fruit of the poisonous tree” and also inadmissible.

3. **Guilt Beyond Reasonable Doubt**: Despite the inadmissibility of certain evidence, the Court found the testimonies of Rogelio and Baselino sufficient to prove the guilt of Pedro, Cristituto, and Emegdio beyond reasonable doubt.

4. **Conspiracy and Crime Elements**: The actions and orchestrations of the accused indicated a clear conspiracy to rob and subsequently murder the Hermida spouses. The testimonies provided adequate proof of robbery with homicide.

5. **Mitigating and Aggravating Circumstances**: The Court did not appreciate treachery and band as aggravating factors since robbery with homicide is largely considered a crime against property. However, they recognized fraud, dwelling, and evident premeditation as aggravating circumstances.

### ### Doctrine:

- **Doctrine of Fruit of the Poisonous Tree**: Illegally obtained evidence and any subsequent evidence derived from it are inadmissible.
- **Custodial Rights**: Admissions made without counsel and during questioning akin to custodial investigation are inadmissible.
- **Conspiracy Principle**: When conspiracy is established, individual roles are immaterial; the actions of one conspirator are ascribed to all.

### ### Class Notes:

- **Robbery with Homicide**: Defined under Philippine law as a crime involving theft alongside murder.
- **Custodial Investigation Protections**: Suspects must be informed of their rights, including the presence of counsel; statements taken without these protections are inadmissible.
- **Conspiracy**: Established by collective actions showing a clear plan to commit an offense, making participants equally liable.
- **Aggravating Circumstances**: Specific situations, such as evident premeditation, add severity to the crime’s punishment. Articles 14 and 62(2) of the Revised Penal Code are crucial in this context.

### ### Historical Background:

The case occurred in 1994, during a period when heinous crimes were prevalent in the Philippines, leading to a stringent judicial stance on crimes like robbery with homicide. The decision reflects the Supreme Court's adherence to constitutional safeguards during custodial investigations and emphasizes the weight of individual testimonies in conspiracy cases.