

THELMA VDA. DE ZABALA, COMPLAINANT, VS. HON. MANUEL PAMARAN, RESPONDENT.

Adm. Case No. 200-J. June 10, 1971

Ponente: MAKALINTAL, J.

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MAKALINTAL, J.:

In Criminal Case No. CCC-VI-58(70) of the Circuit Criminal Court for the 6th Judicial District (Manila), entitled "People of the Philippines vs. Rodolfo Sibal y Canda, et al.," wherein the four accused were charged with the offense of attempted robbery with homicide, a judgment of acquittal was rendered by the trial Judge, Hon. Manuel R. Pamaran, on May 6, 1970. The victim of the alleged offense was one Eden Zabala y Lopez, whose widow, Thelma Zabala, sent a letter to the Secretary of Justice on May 28, 1970, complaining against the decision of Judge Pamaran as a "miscarriage of justice" and making reference to the fact that she and another person testified at the trial as eye-witnesses to the commission of the crime, whose testimony, she implied, was sufficient to sustain a verdict of conviction. The letter-complaint was endorsed by the Undersecretary of Justice to this Court on February 15, 1971 for its "con-sideration and appropriate action;" and on the following March 12 this Court issued a resolution requiring the complainant to verify her complaint and the respondent Judge to file an answer thereto.

On April 26, 1971 the complainant, through counsel, filed a sworn petition containing the following allegations:

"2. That on 30 December 1969, the late husband of the petitioner, Eden Zabala, was ruthlessly shot and killed in her presence by Efren de Leon, Bernardo Quiambao, Romeo Manalang and Pat. Rodolfo Sibal of the Manila Police Department;

"3. That the four persons above-named were indicted before the Circuit Criminal Court of Manila for attempted robbery with homicide in Criminal Case No. CCC-VI-58 entitled "People of the Philippines vs. Rodolfo Sibal, et al.;

"4. That the Presiding Judge who tried Criminal Case No. CCC-VI-58 was the herein respondent;

"5. That the prosecution submitted abundant documentary and testimonial proofs to establish beyond reasonable doubt the crime for which the four accused were charged in the information;

"6. That inspite the tide of evidence tending to establish the guilt of said accused, the herein respondent, oblivious of his sworn duty to uphold the law and to give justice to all those who come to his court in search thereof, rendered a decision on 6 May 1970 acquitting the four accused and even ascribing aggression on the part of the petitioner's husband;

"7. That whereas the respondent is clothed with discretion in the assessment of the evidence and in the evaluation of the testimonies of those who appear and testify before him, the respondent gravely abused and misused his discretion in rendering a decision favorable to the accused in Criminal Case No. CCC-VI-58, the grounds relied on being speculative, imaginary and not susceptible of proof;

"8. That the petitioner adopts as part hereof her sworn complaint to the Department of Justice dated 27 May

1970, copy of which is here attached as Annex "A" hereof.

"WHEREFORE, after hearing, it is most respectfully prayed of this Honorable Court that the respondent be dealt with according to the gravity of the acts herein complained of."

Respondent Judge filed his answer on April 30, 1971, denying the imputation of grave abuse of discretion and justifying the decision he rendered in the criminal case by reference to the analysis he made therein of the evidence presented by both the prosecution and the defense. A copy of the entire decision, consisting of twenty-eight typewritten pages, as well as copies of the documentary records of the case, including reports of the police investigation, laboratory findings (ballistic and paraffin tests) and post-mortem findings of the Manila Police Medico-Legal Division, were likewise submitted by the respondent.

The present administrative case does not call for a review of that decisions, except insofar as its text and the considerations articulated by the respondent with respect to the evidence before him may yield some prima facie semblance of merit in the complaint so as to justify a formal investigation. Mere errors in the appreciation of such evidence, unless so gross and patent as to produce an inference of ignorance or bad faith, or that the Judge knowingly rendered an unjust decision, are irrelevant and immaterial in an administrative proceeding against him. No one, called upon to try the facts or interpret the law in the process of administering justice, can be infallible in his judgment. All that is expected of him is that he follow the rules prescribed to ensure a fair and impartial hearing, assess the different factors that emerge therefrom and bear on the issues presented, and on the basis of the conclusions he finds established, with only his conscience and knowledge of the law to guide him, adjudicate the case accordingly.

The decision rendered by respondent Judge now subject of the complaint adheres faithfully to these norms of judicial duty. It contains a painstaking review of the record, analyzes the significance of each item of evidence, and where there is conflict in the declarations of witnesses, evaluates them both subjectively and against the background of related physical facts that by their nature can hardly be disputed. Reading the decision, a reasonable man, endowed or not with legal training and courtroom experience, could hardly say he would have arrived a different verdict.

The complainant ascribes no undue motivation to the respondent, and stresses only one point in her complaint, namely, that the evidence for the prosecution established the guilt of the accused. This particular factual issue appears extensively discussed in the decision; the reasons for not accepting the veracity of the complainant's testimony and that of the other alleged eye-witness are explained; and if in the mind of the respondent the evidence for the defense was entitled to more weight and credence he cannot be held to account administratively for the result of his ratiocination. For that is the very essence of judicial inquiry; otherwise the burdens of judicial office would be intolerable.

Wherefore, there being no sufficient basis to warrant further proceeding, the complaint is hereby dismissed.

Concepcion, C.J., Reyes, J.B.L., Dizon, Zaldivar, Fernando, Teehankee, Barredo, Villamor, and Makasiar, JJ., concur.

Ruiz Castro, J., took no part.

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