

**THE PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS.
EDGARDO VENGCO Y DAVID ALIAS “EDWIN”; ROGELIO
ENCARNACION Y DE LOS SANTOS ALIAS “ROGER
PUSA”; ROMEO SOLIBA Y REDOBLA ALIAS...**

G.R. No. L-31657. January 31, 1984

Ponente: RELOVA, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/e9aed8936c27/>

RELOVA, J.:

These appeals are interposed by Constantino Leneses alias "Alex Remonte" and Leon David alias "Junior" who, together with three others, were charged in Criminal Case No. 87918, for the murder of Charlie Celadena y Lim in the then Court of First Instance of Manila, Branch XX. The lower court adjudged them guilty thereof, and sentenced both of them to reclusion perpetua, with the accessory penalties provided by law, to indemnify the heirs of the deceased in the sum of P12,000.00, and to pay the costs.

The information filed against said appellants recites:

"That on or about the 24th day of August 1967, in the City of Manila, Philippines, the said accused, at night time, and with the use of superior strength to insure and afford impunity, conspiring and confederating together and mutually helping one another, with intent to kill and with evident premeditation and treachery, did then and there willfully, unlawfully and feloniously attack, assault and use personal violence upon one, CHARLIE CELADENA Y LIM, by then and there stabbing the latter with bladed and pointed instruments which they were then armed, hitting him on the different parts of his body, thereby inflicting upon said CHARLIE CELADENA Y LIM mortal and fatal wounds which were the direct and immediate cause of his death moments thereafter." (p. 2, Rollo of L-31657 & L-32264).

The version of the prosecution was unfolded by pro-secution witnesses Go Hong, Rolando Quiane, Purita Delgado, and Dr. Mariano de Lara, Chief of the Medico-Legal Division, Manila Police Department.

Go Hong testified that in the evening of August 24, 1967 he was in his house at 2815-A Bagac Street, Tondo, Manila when he heard a commotion outside. Looking out of the window he saw Charlie Celadena being stabbed by Edwin Vengco while three, others, one of whom he recognized as appellant Constantino Leneses, were moving away from the victim, all of them armed with a dagger, an ice pick and a weapon with pointed blade. He went out of the house and lifted Celadena from the ground when he noticed that the latter was bloody in all parts of his body. The victim was brought to the Jose Reyes Memorial Hospital where he was pronounced dead upon arrival.

Rolando Quiane testified that about midnight on August 24, 1967 he and his brother were conversing on a sidewalk along Bagac Street, near the corner of Corrigidor Street, Tondo, Manila, when a taxicab came and stopped at the place where they were. Charlie Celadena alighted from the taxicab. Thereafter, at about 30 meters away, a group of five persons, among whom were Edwin Vengco and Leon David came towards them. As there was an incident between Charlie Celadena and Edwin Vengco three or four nights before, when the latter chased the former and threw bottles at him, Quiane invited Charlie Celadena to go with him inside the apartment where

he and his brother were living, to avoid the group. Celadena would not go with them and so Quiane and his brother went inside their apartment. They then heard Charlie Celadena knocking at the door of, and calling his sister at, the latter's house across the street. After a while Quiane heard the voice of a girl calling for help. Quiane opened the door of the apartment and saw Charlie Celadena lying down on the ground bleeding.

The testimony of Rolando Quiane was corroborated by Go Hong and Purita Delgado who declared that about midnight of August 24, 1967 while she was sleeping in the house of "Ate During" the sister of Charlie Celadena, along Bagac Street, Ate During woke her up and she heard a commotion outside the house. When she peeped through the opening of the window, she saw her "Kuya Charlie" leaning against the wall of the house being held by two men, one of whom was appellant Leon David, on his hands. Thereafter, another person approached the one being held by the two and stabbed him, followed by two more men who also stabbed him. There were several thrusts with pointed instruments hurled at Charlie until one of them ran away, followed by three others, leaving the tall one who continued stabbing Charlie, then already prostrate on the ground.

Dr. Mariano de Lara conducted the autopsy on the body of the deceased and his post-mortem findings show that the deceased sustained eleven (11) stab wounds mostly located in the chest and abdomen and one in the back. Five (5) of the stab wounds were fatal.

The defense of Constantino Leneses alias "Alex Remonte", is denial and alibi. He contends that earlier in the afternoon of August 24, 1967, he was at the tailor shop near Jose Abad Santos Boulevard waiting for a pair of pants the tailor was making for him. While waiting there, Edgardo Vengco, Rogelio Encarnacion, Romeo Soliba and Leon David arrived and invited him to go with them. They went to the house of Leon David where they had a drinking spree. He became dead drunk that he was taken to his house in Balintawak where he stayed the whole evening unconscious and regained consciousness only the following morning.

Appellant Leon David denied participation in the crime committed, contending that only Edwin Vengco, Roger, Romeo and Alex attacked and killed Charlie Celadena. He testified that about 10:30 in the evening of August 24, 1967 he went home to turn over the proceeds of the sale of cigarettes to his mother. He then proceeded to the house of Edwin Vengco and joined the group, namely: Vengco, Romy, Roger and Alex in a drinking spree. Vengco even asked money from him for the jeepney fares of the three. Knowing Vengco to be a tough guy and a "siga-siga", he gave the latter money. After about five minutes, he separated from them and proceeded to go home. On the way, he saw at a distance of about eight meters a person being ganged up by Edwin Vengco and his companions. Vengco and Alex were stabbing the person with bladed weapons, while Roger and Romy were holding the hands of the victim. He shouted at them not to do it and then left the place because he was afraid that he might be implicated.

Further, Leon David denied the truth of the testimony of Purita Delgado who identified him as one of the persons who held the victim by his hands when the latter was being stabbed by Edwin Vengco and his companions. However, on cross examination, he could not say what reason or motive could have induced Purita Delgado to testify falsely against him.

The defense also presented Melquiades Nuque, a taxi driver, who declared that he was about 20 meters from the place of the incident which occurred in the evening of August 24, 1967. He saw Vengco, Alex and the others assaulting the victim, but appellant Leon David was not one of them.

Appellants put squarely in issue the credibility of Go Hong, Rolando Quiane and Purita Delgado averring that the lower court erred (1) in relying purely on the testimony of these three witnesses; (2) in not considering the individual participation of each of the accused there being no proof of conspiracy; and (3) in not holding that the evidence adduced by the prosecution is insufficient to convict him.

The trial court committed no error in finding appellants Constantino Leneses and Leon David guilty of the crime charged.

1. WE have consistently held that when there is no showing of improper motive on the part of witnesses for testifying against an accused, the fact that they are neighbors, friends or relatives of the victim does not render their clear and positive testimony less worthy of full faith and credit. Purita Delgado saw her "Kuya Charlie" leaning on the wall by the window of the house of her Ate During about a meter away, being ganged up by appellants and their companions, when she peeped through the window. The place was bright because of the two mercury lamps in front of the house. Go Hong, husband of Ate During, immediately went to the assistance of the victim after the assail-ants had ran away.
2. As found by the lower court, a circumstance highly indicative of the guilt is the fact that soon after the commission of the crime, Leon David left Manila for Cavite where he hid himself until he was arrested on February 2, 1970. His explanation for hiding that he was afraid of Edwin Vengco does not impress Us because if he was really innocent, as he claimed to be, he would not have gone into hiding and would even tell the authorities what transpired that evening. The truth is, he would have no reason to be afraid of anyone, including Edwin Vengco who has no reason to go after him, he having done nothing wrong against him. On the contrary, he was not afraid to shout at Vengco and his companions not to assault the victim and later to testify in court with respect to their participation in the incident.
3. The testimonies of prosecution witnesses have not been shown to suffer from any inconsistency and/or contradiction. In fact, the testimony of only one witness, if credible and positive and if it satisfies the court beyond reasonable doubt, is sufficient to convict. (People vs. Argana, 10 SCRA 311). Alibi, which is the defense of Constantino Leneses, is weak since it is easy to concoct. Courts view it with caution and accept it only when proved by positive, clear and convincing evidence. The positive identification of appellant Leneses as one of the perpetrators of the crime dwindles the defense of alibi.

The crime committed is murder, qualified by abuse of superior strength. The People's evidence relative to the commission of the crime, the manner of its perpetration and the circumstance of abuse of superior strength is not disputed. Appellant Leon David and his witness, the taxi driver, confirmed these facts. The conspiracy among therein appellants and their companions is easily discernible from their conduct. The way in which they assaulted Charlie Celadena and their conduct sometime before and immediately after the stabbing, clearly show that they had agreed to kill him. The rule is that "if it is proven that two or more persons aimed by their acts towards the accomplishment of the same unlawful object, each doing a part so that their acts, although apparently independent, were in fact connected and cooperative, indicating a closeness of personal association and concurrence of sentiment, a conspiracy may be inferred though no actual meeting among them is proven (Underhill, Criminal Evidence, 4th Ed. by Niblack, pp. 1402-3; People vs. Carbonel, 48 Phil. 868, 875)". (Cited in People vs. Velez, 58 SCRA-21, 31).

WE agree with the trial court that "no generic aggravating circumstance was sufficiently proved by the prosecution, the elements of nighttime, evident premeditation and treachery, not having been established by its evidence. On the other hand, no mitigating circumstance was shown by the evidence of the defense. The medium of the penalty prescribed for the offense should be imposed on the accused. The penalty to be imposed is reclusion perpetua, it being the medium of the penalty of reclusion temporal in its maximum period to death for murder."

WHEREFORE, the judgment appealed from is AFFIRMED, with the modification that appellants pay, jointly and severally, the heirs of the deceased in the sum of P30,000.00. (People vs. de la Fuente, G.R. Nos. L-63251-52, Dec. 29, 1983).

SO ORDERED.

Teehankee (Chairman), Melencio-Herrera, Plana, and Gutierrez, Jr., JJ., concur.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.