

EL PUEBLO DE FILIPINAS, QUERELLANTE Y APELADO, CONTRA ISIDRO PAGUIA, ACUSADO Y APELANTE.

G.R. No. L-945. July 12, 1948

Ponente: BRIONES, J.

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BRIONES, J.:

1. DERECHO PENAL Y PROCEDIMIENTO CRIMINAL; TRAICION; RETIRADA DE DECLARACION DE CULPABILIDAD; DISCRECION DEL JUZGADO.-Depues de dictada la sentencia, y antes de que esta quede firme, compete a los tribunales, en el ejercicio de su sana deiscrecion, el premitir o no premitir a un acusado en causa criminal la retirada de una declaracion de culpabilidad (section 6, regla 114, Reglamento de los Tribunales); y a menosque haya habido abuso en la nagativa de la retirada, "rehusamos inmiscuirnos en tal discrecion" (E. U. contra Neri, 8 Jur. Fil., 681)

Paras, Pres., Interino, Feria, Pablo, Perfecto, Bengzon, Padilla, y Tuason, MM., estan conformes.

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