

HEIRS OF THE LATE TEODORO GUARING, JR., PETITIONERS, VS. COURT OF APPEALS, PHILIPPINE RABBIT BUS LINES, INC., AND ANGELES CUEVAS, RESPONDENTS.

G.R. No. 108395. March 07, 1997

Ponente: MENDOZA, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-108395/>

MENDOZA, J.:

This is a petition for review of the decision of the Court of Appeals, reversing the decision of the Regional Trial Court of Manila, Branch 20, which ordered respondent Philippine Rabbit Bus Lines, Inc. and its driver, Angeles Cuevas, to pay various amounts in damages to petitioners, the heirs of the late Teodoro Guaring, Jr.

This case arose from an unfortunate vehicular accident which happened on November 7, 1987, along the North Expressway in San Rafael, Mexico, Pampanga. Involved in the accident were a Mitsubishi Lancer car driven by Teodoro Guaring, Jr., who died as a result of the mishap, Philippine Rabbit Bus No. 415, driven by Angeles Cuevas, and a Toyota Cressida car, driven by Eligio Enriquez. The Mitsubishi Lancer was heading north, at the speed of 80 to 90 kilometers per hour. Following it was the Philippine Rabbit Bus No. 415, with Plate No. CVD-584. On the other hand, the Toyota Cressida was cruising on the opposite lane, bound for Manila.

Petitioners, heirs of Teodoro Guaring, Jr., brought this action for damages, based on quasi delict, in the Regional Trial Court of Manila. Their evidence tended to show that the Rabbit bus tried to overtake Guaring's car by passing on the right shoulder of the road and that in so doing it hit the right rear portion of Guaring's Mitsubishi Lancer. The impact caused the Lancer to swerve to the south-bound lane, as a result of which it collided with the Toyota Cressida car coming from the opposite direction.

With Teodoro Guaring, Jr. in the Lancer, seated beside him in front, was Bonifacio Clemente. Riding in the Toyota Cressida driven by Sgt. Eligio Enriquez was his mother, Dolores Enriquez, who was seated beside him. Seated at the back were his daughter Katherine (who was directly behind him), his wife Lilian, and his nephew Felix Candelaria.

Killed in the collision were Teodoro Guaring, Jr., who was driving the Lancer, and Dolores Enriquez, who was riding in the Cressida, while injured were Bonifacio Clemente and the occupants of the Toyota Cressida.

Private respondents, on the other hand, presented evidence tending to show that the accident was due to the negligence of the deceased Guaring. They claimed that it was Guaring who tried to overtake the vehicle ahead of him on the highway and that in doing so he encroached on the south-bound lane and collided with the oncoming Cressida of U.S. Air Force Sgt. Enriquez. Private respondents claim that as a result of the collision the Lancer was thrown back to its lane where it crashed into the Rabbit bus.

On May 16, 1990, the Regional Trial Court rendered judgment finding Philippine Rabbit Bus Lines, Inc. and its driver, Angeles Cuevas, at fault, and holding them solidarily liable for damages to petitioners. The dispositive portion of its decision reads:

WHEREFORE, judgment is hereby rendered in favor of the plaintiffs and against the defendants, ordering the latter to pay the former, jointly and severally, the sum of:

1. P500,000.00 for loss of earning capacity of the deceased Teodoro Guaring, Jr.;
2. P1,000,000.00 as moral damages;
3. P50,000.00 as and for attorney's fees; and
4. Costs of suit.

From this judgment, private respondent Philippine Rabbit Bus Lines, Inc. appealed, contending:

1. The lower court erred in not finding that the proximate cause of the collision was Guaring's negligence in attempting to overtake the car in front of him.
2. The lower court erred in not holding that PRBL exercised due diligence in the supervision of its employees.
3. The lower court erred in awarding the amount of P500,000.00 in favor of plaintiffs-appellees representing Guaring's loss of earning capacity.
4. The lower court erred in awarding moral damages in favor of plaintiffs-appellees.
5. The lower court erred in awarding attorney's fees in favor of plaintiffs-appellees.

On December 16, 1992, the Court of Appeals rendered a decision, setting aside the decision of the Regional Trial Court of Manila in the civil action for damages and dismissing the complaint against private respondents Philippine Rabbit Bus Lines, Inc. and Cuevas, on the strength of a decision rendered by the Regional Trial Court at San Fernando, Pampanga, in the criminal case, acquitting the bus driver Angeles Cuevas of reckless imprudence resulting in damage to property and double homicide. The appellate court held that since the basis of petitioners' action was the alleged negligence of the bus driver, the latter's acquittal in the criminal case rendered the civil case based on quasi delict untenable.

Hence, this petition. Petitioners contend that

[1] EVIDENCE IN ONE CASE IS INADMISSIBLE IN ANOTHER CASE AGAINST A PERSON NOT A PARTY IN THE FIRST CASE AND TO HOLD OTHERWISE IS VIOLATIVE OF PROCEDURAL DUE PROCESS.

[2] THE DECISION OF THE COURT OF APPEALS WAS WITHOUT FACTUAL FINDINGS AND DID NOT RESOLVE SQUARELY THE ASSIGNED ERRORS AND IS THEREFORE A VOID JUDGMENT.

[3] ACQUITTAL OF THE ACCUSED IN THE CRIMINAL CASE, WHETHER ON REASONABLE DOUBT OR NOT, IS NO BAR TO THE PROSECUTION FOR DAMAGES BASED ON QUASI-DELICT.

The question is whether the judgment in the criminal case extinguished the liability of private respondent Philippine Rabbit Bus Lines, Inc. and its driver, Angeles Cuevas, for damages for the death of Teodoro Guaring, Jr. In absolving private respondents from liability, the Court of Appeals reasoned:[1]

Since the appellee's civil action is predicated upon the negligence of the accused which does not exist as found by the trial court in the said criminal case, it necessarily follows that the acquittal of the accused in the criminal case carries with it the extinction of the civil responsibility arising therefrom. Otherwise stated, the fact from which the civil action might arise, that is, the negligence of the accused, did not exist.

The finding in the criminal case that accused Cuevas was not negligent and the proximate cause of the accident was the act of deceased Guaring in overtaking another vehicle ahead of him likewise exonerates PRB from any

civil liability.

Although it did not say so expressly, the appellate court appears to have based its ruling on Rule 111, §2(b) of the Rules of Criminal Procedure, which provides:

(b) Extinction of the penal action does not carry with it extinction of the civil, unless the extinction proceeds from a declaration in a final judgment that the fact from which the civil might arise did not exist.

This provision contemplates, however, a civil action arising from crime, whereas the present action was instituted pursuant to Art. 2176 of the Civil Code, which provides:

Art. 2176. Whoever by act or omission causes damage to another, there being fault or negligence, is obliged to pay for the damage done. Such fault or negligence, if there is no pre-existing contractual relation between the parties, is called a quasi-delict and is governed by the provisions of this Chapter.

It is now settled that acquittal of the accused, even if based on a finding that he is not guilty, does not carry with it the extinction of the civil liability based on quasi delict. Thus, in *Tayag v. Alcantara*,^[2] it was held:

. . . a separate civil action lies against the offender in a criminal act, whether or not he is criminally prosecuted and found guilty or acquitted, provided that the offended party is not allowed, if he is actually charged also criminally, to recover damages on both scores, and would be entitled in such eventuality only to the bigger award of the two, assuming the awards made in the two cases vary. In other words, the extinction of civil liability referred to in Par. (c), Section 3, Rule 111 [now Rule 111, §2(b)], refers exclusively to civil liability founded on Article 100 of the Revised Penal Code, whereas the civil liability for the same act considered as a quasi-delict only and not as a crime is not extinguished even by a declaration in the criminal case that the criminal act charged has not happened or has not been committed by the accused. . .

It is noteworthy that the accident in that case also involved a Philippine Rabbit bus and that, as in this case, the acquittal of the bus driver was based on reasonable doubt. We held that the civil case for damages was not barred since the cause of action of the heirs was based on quasi delict.

Again, in *Gula v. Dianala* it was held:^[3]

Since the cause of action of plaintiffs-appellants is based on culpa aquiliana and not culpa criminal, thus precluding the application of the exception in Sec. 3(c) of Rule 111 [now Rule 111, §2(b)], and the fact that it can be inferred from the criminal case that defendant-accused, Pedro Dianala, was acquitted on reasonable doubt because of dearth of evidence and lack of veracity of the two principal witnesses, the doctrine in *Mendoza vs. Arrieta*, 91 SCRA 113, will not find application. In that case, the acquittal was not based on reasonable doubt and the cause of action was based on culpa criminal, for which reason we held the suit for damages barred.

Even if damages are sought on the basis of crime and not quasi delict, the acquittal of the bus driver will not bar recovery of damages because the acquittal was based not on a finding that he was not guilty but only on reasonable doubt. Thus, it has been held:^[4]

The judgment of acquittal extinguishes the liability of the accused for damages only when it includes a declaration that the facts from which the civil might arise did not exist. Thus, the civil liability is not extinguished by acquittal where the acquittal is based on reasonable doubt (*PNB v. Catipon*, 98 Phil. 286) as only preponderance of evidence is required in civil cases; where the court expressly declares that the liability of the accused is not criminal but only civil in nature (*De Guzman v. Alvira*, 96 Phil. 558; *People v. Pantig*, supra) as, for instance, in the felonies of estafa, theft, and malicious mischief committed by certain relatives who thereby incur only civil liability (See Art. 332, Revised Penal Code); and, where the civil liability does not arise from or is not based upon the criminal act of which the accused was acquitted (*Castro v. Collector of*

Internal Revenue, 4 SCRA 1093; See Regalado, Remedial Law Compendium, 1983 ed., p. 623).

In the present case, the dispositive portion of the decision of the RTC in the criminal case reads:

WHEREFORE, the Court, entertaining reasonable doubt as to his guilt, the accused is hereby acquitted, of the offense of reckless imprudence resulting to double homicide and damage to property as charged in the Information, without pronouncement as to costs.

SO ORDERED.[5]

It was thus error for the appellate court to skip the review of the evidence in this case and instead base its decision on the findings of the trial court in the criminal case. In so doing, the appellate court disregarded the fact that this case had been instituted independently of the criminal case and that petitioners herein took no part in the criminal prosecution. In fact this action was filed below before the prosecution presented evidence in the criminal action. The attention of the Court of Appeals was called to the decision in the criminal case, which was decided on September 7, 1990, only when the decision of the trial court in this case was already pending review before it (the Court of Appeals).

The appellate court did not even have before it the evidence in the criminal case. What it did was simply to cite findings contained in the decision of the criminal court. Worse, what the criminal court considered was reasonable doubt concerning the liability of the bus driver the appellate court regarded as a categorical finding that the driver was not negligent and, on that basis, declared in this case that “the proximate cause of the accident was the act of deceased Guaring in overtaking another vehicle ahead of him.” The notion that an action for quasi delict is separate and distinct from the criminal action was thus set aside.

This case must be decided on the basis of the evidence in the civil case. This is important because the criminal court appears to have based its decision, acquitting the bus driver on the ground of reasonable doubt, solely on what it perceived to be the relative capacity for observation of the prosecution and defense witnesses.[6] The prosecution did not call Bonifacio Clemente to testify despite the fact that shortly after the accident he gave a statement to the police, pinning the blame for the accident on the Philippine Rabbit bus driver. Indeed, the civil case involved a different set of witnesses. Petitioners presented Eligio Enriquez, who was driving the Cressida, and Bonifacio Clemente, who was a passenger in Guaring’s car. Thus, both had full view of the accident.

It is unfair to bind petitioners to the result of the criminal action when the fact is that they did not take part therein. That the witnesses presented on behalf of the petitioners are different from those presented by the prosecution should have brought home to the appellate court the fundamental unfairness of considering the decision in the criminal case conclusive of the civil case.

Because the Court of Appeals did not consider the evidence in the civil case, this case should be remanded to it so that it may render another decision in accordance with the law and the evidence. The issues raised by petitioners are essentially factual and require the evaluation of evidence, which is the function of the Court of Appeals in the exercise of its exclusive appellate jurisdiction. They cannot be decided in this Court.

WHEREFORE, the decision of the Court of Appeals is REVERSED and this case is REMANDED to the Court of Appeals with instruction to render judgment with reasonable dispatch in accordance with law and the evidence presented in Civil Case No. 88-43860.

SO ORDERED.

Regalado, (Chairman), Romero, Puno, and Torres, Jr., JJ., concur.

[1] Rollo, p. 60.

[2] 98 SCRA 723, 728 (1980) (emphasis added).

[3] 132 SCRA 245, 248-249 (1984).

[4] Padilla v. Court of Appeals, 129 SCRA 558, 565-566 (1984).

[5] RTC decision, p. 31; Rollo, p. 46 (emphasis added).

[6] This is apparent from the following excerpt from the decision in the criminal case which the Court of Appeals quoted:

While Edgardo Sobrevilla was seated in the conductor's seat in the front portion of the Philippine Rabbit Bus, Mrs. Lilian Enriquez was at the back seat of the Cressida car. As between them, it is in accord with ordinary human experience that Edgardo Sobrevilla was in a better position to see the actual occur[r]ence of the incident.

Confirmatory to the testimony of Edgardo Sobrevilla are the sketches (Exhs. "A" and "A-1") drawn by Pat. Danilo Gonzales, the investigating Policeman, which reveal no fallen debris on the North bound lane. Fallen debris could have surely occur[r]ed in the North-bound lane if there was a violent contact between the Mitsubishi Lancer car and the Philippine Rabbit bus in the North bound lane before the Lancer car left its lane to encroach on the South bound lane. The sketches (Exh. "A" and "A-1") reveal very clearly that fallen debris are on the concrete pavement and asphalt shoulder of the South-bound lane, clearly indicative that the collision between the Lancer and the Cressida occur[r]ed in the lane of the latter.

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.