

EL PUEBLO DE FILIPINAS, QUERELLANTE Y APELADO, CONTRA CONCEPCION PAGAYON, ACUSADA Y APELANTE.

G.R. No. 47582. March 14, 1941

Ponente: DIAZ, J.

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DIAZ, J.:

La apelante fue convicta del delito de estafa por el Juzgado de Primera Instancia de Manila, porque, habiendo recibido de Maxima Laperal de Guzman P10,250.95 en alhajas para vender las y ganarse así una comision, pero, obligandose a devolver las que no pudiese vender y entregar el producto de la venta de las que vendiere, solo entrego a su dueña la cantidad de P6,528.20 dejando de dar cuenta del resto, el cual ascendia a P3,722.75 y no P3,732.75 como se dijo equivocadamente en la querella, en la fecha en que esta fue presentada en el Juzgado. Algunos dias despues, entrego a la duena de las referidas alhajas la cantidad de P1,053 quedando de ese modo reducida su obligation civil a pagara aquella la cantidad de P2,669.75 (no P2,679.75) si no podia devolver las alhajas que valian dicha cantidad.

Imperial, Laurel, Moran, y Horrilleno, MM., estan conformes.

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