

Title: Bulaong and De Guzman v. Court of Appeals, et al.

Facts:

1. On March 12, 1984, Romulo S. Bulaong filed an action for sum of money against Vicente Vistan, Leonardo Buenaventura, and Conrado Sta. Maria in the Regional Trial Court of Zambales, docketed as Civil Case No. RTC-67-1.
2. Subsequently, Vicente Vistan filed a complaint against Bulaong for rescission of contract with damages. These cases were consolidated but remained pending.
3. On November 21, 1984, Bulaong filed a criminal complaint for estafa before the Office of the City Fiscal in Pasay against Vistan and Buenaventura. Both parties submitted their affidavits.
4. On January 21, 1985, Bulaong and his counsel Gil de Guzman submitted a reply-affidavit containing statements alleged to be libelous. Vistan and Buenaventura filed a libel complaint based on this affidavit.
5. After an investigation, on October 11, 1985, the Pasay City Fiscal's Office filed an information for libel against Bulaong and Guzman, later amended on July 1, 1986.
6. The petitioners moved to quash the libel information on grounds that the facts charged did not constitute an offense and that the fiscal had no authority to file the information, arguing their statements were privileged.
7. The Regional Trial Court of Pasay City denied the motion and subsequent motion for reconsideration. The petitioners sought relief via a petition for certiorari, prohibition, and mandamus with the Court of Appeals, which was dismissed.
8. Petitioners filed a petition for review on certiorari to the Supreme Court.

Issues:

1. Whether the reply-affidavit submitted in a preliminary investigation is covered as an absolutely privileged communication.
2. Whether petitioners were denied equal protection under the law.

Court's Decision:

1. The Supreme Court found the petition devoid of merit, emphasizing that certiorari and prohibition were not the proper remedies against an order denying a motion to quash.
2. The Court emphasized the correct procedure: the parties should go to trial, raise their defenses therein, and if decided adversely, raise such issues on appeal.
3. The alleged defense of absolute privilege could be presented during the trial. A motion to quash based on qualified privilege, which was opposed by the prosecution, was properly denied as the prosecution was allowed to prove malice at trial.

Doctrine:

The court reiterated the procedure for appealing a denial of a motion to quash, stating that certiorari and prohibition are not remedies for interlocutory orders, and upheld that defenses such as privilege can be raised and reviewed after trial and appeal. This follows from *Mercado v. CFI of Rizal* and other jurisprudence cited.

Class Notes:

- Interlocutory Order: Non-appealable; objections raised can be reviewed post-trial.
- Privileged Communication: A defense to be asserted at trial regarding libel cases.
- Procedural Law: Correct remedies after denial of a motion to quash involve proceeding to trial rather than seeking certiorari or prohibition.

Historical Background:

During the 1980s, the Philippine judiciary was undergoing reforms post-martial law, emphasizing procedural correctness and proper use of legal remedies. The case reflects courts' efforts to strictly adhere to procedural rules, underscoring certiorari as reserved for lack or excess of jurisdiction and not for correcting mere procedural errors unless these cause a grave abuse of discretion.