

**\*\*Title:** People of the Philippines vs. Nestor G. Soriano, G.R. No. 125311**\*\***

**\*\*Facts:\*\***

On the night of September 17, 1998, Nestor G. Soriano, alias “Boy,” engaged in an argument with his live-in partner Honey Rosario Cimagala in Calinan, Davao City. The dispute arose over their son, whom Honey’s brother had taken without Nestor’s consent. During the heated exchange, Nestor expressed a desire for sexual relations, which Honey refused, further inflaming the situation.

Nestor threatened to burn the house they were in, which belonged to Honey’s aunt and was occupied by Honey and their child. He then set fire to a plastic partition using a match. Honey managed to temporarily extinguish the flames using her towel. Nestor then set fire to Honey’s clothes in her cabinet, causing a blaze that rapidly spread, destroying the house along with five neighboring houses.

Despite initial denial, witnesses, including Honey, provided testimonies identifying Nestor as the perpetrator. An Information for Arson was filed against Nestor on September 21, 1998, later amended on October 30. The case went to trial, and Nestor was convicted of Destructive Arson by the RTC of Davao City and sentenced to reclusion perpetua. He was also ordered to pay significant damages to the victims.

**\*\*Issues:\*\***

1. Whether Nestor’s act constituted Destructive Arson under Art. 320 of the Revised Penal Code, as amended, or Simple Arson under PD 1613.
2. Whether the special aggravating circumstance of spite or hatred was applicable.
3. Appropriate penalty and damage awards considering the mitigating circumstances.

**\*\*Court’s Decision:\*\***

1. **\*\*Destructive vs. Simple Arson\*\***: The Supreme Court concluded that the applicable provision was Sec. 3, par. 2, of PD 1613, which governs Simple Arson and not Art. 320 of the Revised Penal Code. The court noted that the structures burned by the accused were classified as houses rather than buildings or edifices as defined under Destructive Arson statutes.
2. **\*\*Aggravating Circumstance\*\***: The Court did not find sufficient grounds to establish that the crime was committed out of spite or hatred. It was determined that the act was driven more by impulsive behavior—an argument between lovers—rather than calculated spite or hatred. This significantly influenced the ruling that Nestor’s crime fell under Simple Arson.

3. **Mitigating Circumstance and Penalty**: The Court recognized a mitigating circumstance analogous to passion and obfuscation. Given Nestor's emotional state tied to the personal circumstances between him and Honey, the penalty was reduced. Nestor was sentenced to an indeterminate term of six years, four months, and twenty days of prison mayor minimum as minimum, to fourteen years, two months, and ten days of reclusion temporal minimum as maximum.

**Doctrine:**

- **Simple vs. Destructive Arson**: The classification between Simple Arson and Destructive Arson hinges on the type of structure and the presence of certain aggravating circumstances. This decision reiterates the importance of clear differentiation based on statutory definitions.
- **Mitigating Circumstances**: Emotional states akin to passion and obfuscation can mitigate criminal liability and affect sentencing severity.

**Class Notes:**

- **Arson Elements** (Simple Arson, PD 1613):
  - Intentional burning.
  - Involves an inhabited house or dwelling.
- **Distinctions in Arson**:
  - Simple vs. Destructive based on property type and surrounding circumstances.
- **Mitigating Circumstances**:
  - Passion and obfuscation as mitigating factors can reduce penalties.

**Relevant Statutes:**

- **Section 3, PD 1613**:  
\*“The penalty of Reclusion Temporal to Reclusion Perpetua shall be imposed if the property burned is... Any inhabited house or dwelling.”\*
- **Article 64, Par. 2, Revised Penal Code**:  
\*“When only a mitigating circumstance is present in the commission of the act, they shall impose the penalty in its minimum period.”\*

**Historical Background:**

The decision serves as an illustration of how detailed statutory distinctions and the evaluation of surrounding circumstances (e.g., emotional states, intent) are vital in determining criminal liability and sentencing. It reinforces the doctrine of strict

interpretation of penal laws, favoring the accused when ambiguities arise.