

Title: People of the Philippines vs. Arnold Narciso, G.R. No. 135047

Facts:

The crime took place on July 11, 1996, when armed men, including Arnold Narciso, forced entry into the JTC Pawnshop's Marikina branch. These men held hostage Lita Berlanas, a vault custodian, at gunpoint while others ransacked the shop of assorted jewelry worth approximately P3,000,000.00. A witness, Nancy "Ancy" Alegre, an appraiser and employee, saw Arnold Narciso brandishing a gun, hold Berlanas by her nape, and later shoot her fatally as she attempted to flee. The robbers commandeered a Tamaraw FX vehicle and escaped. The assailants were identified later in a subsequent robbery involving the JTC Pawnshop's Karuhatan-Valenzuela branch. Arnold Narciso was apprehended, arraigned, and pleaded not guilty alongside other suspects. The trial court found him guilty of Robbery with Homicide and meted the death penalty, alongside an indemnification order to the victim's heirs and pawnshop owner.

Issues:

1. Whether the trial court correctly gave weight to the testimony of eyewitness Nancy Alegre.
2. Whether the trial court erred in convicting Arnold Narciso beyond reasonable doubt.
3. Whether the imposition of the death penalty was proper vis-à-vis the qualifying circumstances and existing law.

Court's Decision:

1. **Weight of Eyewitness Testimony**: The Supreme Court upheld the conviction based on the positive identification by eyewitness Nancy Alegre, who consistently and convincingly identified Arnold Narciso as the assailant. The Court reiterated trial courts' unique position in assessing witness credibility, finding no reason to overturn its judgment absent significant errors or abuses.
2. **Conviction Beyond Reasonable Doubt**: The Supreme Court ruled that the prosecution sufficiently established the crime of Robbery with Homicide under Article 294 of the Revised Penal Code. Allegations of misidentity and gaps in testimony did not outweigh the weight of the unblemished eyewitness account, weakening Narciso's defense of alibi and denial.
3. **Imposition of Death Penalty**: The Supreme Court struck down the death penalty imposed by the trial court. It noted that Republic Act No. 8294's special aggravating circumstance of using an unlicensed firearm was not applicable as it was introduced after

the crime's commission and the alleged aggravating situation was not specified in the charge. Additionally, elements establishing illegal possession of firearms, such as actual possession and lack of a license, were not sufficiently proven by the prosecution. Absence of other aggravating factors reduced Narciso's punishment to Reclusion Perpetua.

Doctrine:

- The presence of a special aggravating circumstance such as carrying unlicensed firearms must be alleged and proven for imposing the death penalty.
- Positive and credible eyewitness identification holds primacy over alibi in criminal convictions.
- Retroactive application of penal laws cannot aggravate the offense to impose harsher penalties.

Class Notes:

- Elements of Robbery with Homicide under Art. 294: Intent to gain, asportation of personal property, violence or intimidation, and resultant homicide on the occasion of the robbery.
- Importance of qualifying or aggravating circumstances being specifically alleged in information/document charging the accused.
- Jurisprudence affirms non-retroactivity of laws detrimental to accused under Art. 4, Civil Code.

Historical Background:

The case occurred during a period of heightened crime in the mid-1990s Philippines, prompting legislative amendments addressing the aggravating impact of using unlicensed firearms. However, the judiciary adhered to classical legal principles disfavoring retrospective penal measures against accused individuals, emphasizing protective constitutional norms.