

Title: Ariel Cadayday Singgit and Genivieve Mayondo But-ay vs. People of the Philippines

Facts

- **Initial Relationship and Separation:** Ariel Cadayday Singgit (Ariel) was married to Consanita Rubio Singgit (Consanita) with whom he had five children. In 2008, Consanita discovered Ariel's infidelities and left the conjugal home, moving to her parents' house with their children due to health issues and marital discord.
- **Extra-marital Relationship:** By 2010, Ariel began cohabiting with Genivieve Mayondo But-ay (Genivieve) in the same home previously shared with Consanita. Ariel and Genivieve had a child in 2011, and various witnesses, including neighbors and local authorities, corroborated the couple's cohabitation.
- **Discovery and Legal Actions:** In early 2011, Consanita caught Ariel and Genivieve together in the conjugal dwelling, leading to confrontations and involvement of local officials to address the situation. During a 2013 meeting at the Barangay Hall, Genivieve admitted to her affair with Ariel.
- **Procedural History:**
 - **MTCC:** Filed charges resulted in a 2017 decision, convicting both Ariel and Genivieve of concubinage, a decision they appealed.
 - **RTC:** Affirmed the MTCC decision in 2019 and denied their motion for reconsideration.
 - **CA:** In 2021 and again in 2022, the Court of Appeals upheld the RTC decision, leading to a petition for review before the Supreme Court.

Issues

1. **Sufficiency of Information:** Whether the use of the term "private dwelling" instead of "conjugal dwelling" in the Information negated the crime of concubinage.
2. **Evidence of Cohabitation:** Whether the evidence provided sufficiently proved that Ariel and Genivieve cohabited as husband and wife.
3. **Penalty Application:** Whether the penalties imposed on Ariel and Genivieve were appropriate and lawful under the circumstances.

Court's Decision

- **Sufficiency of Information:**
- **Court's Analysis:** The term "private dwelling" was considered sufficient to cover the act of concubinage as it encompasses "any other place" where cohabitation occurs, aligning with legal definitions. This sufficiency afforded Ariel appropriate notice to defend against the charges.

- **Resolution**: The use of “private dwelling” did not invalidate the Information.
- **Evidence of Cohabitation**:
 - **Court’s Analysis**: Multiple witness testimonies, including admissions from both Ariel and Genivieve, established that they lived together in various locations, including Cebu, Mindanao, and Negros, which satisfied the legal requirement of cohabitation.
 - **Resolution**: The conviction based on evidence was upheld, affirming that cohabitation in “any other place” met the legal criterion.
- **Penalty Application**:
 - **Court’s Analysis**: The original penalty of destierro (exile) for Genivieve was confirmed as proper. However, for Ariel, the application of prision correccional (imprisonment) required recalculation under the Indeterminate Sentence Law.
 - **Resolution**: Ariel’s sentence was modified to arresto mayor (2 months and 1 day to 6 months) instead of the original prision correccional, considering the legal adjustments.

Doctrines

- **Sufficiency of Information**: Legal sufficiency in the Information requires that charges clearly state the nature of the crime, enabling the accused to understand and prepare their defense adequately. Technical inaccuracies in terminology (“private dwelling” vs. “conjugal dwelling”) do not nullify the accusation if the crime’s elements are substantiated.
- **Evidence Requirement for Cohabitation**: Proof of cohabitation involves more than occasional or transient meetings; consistent and sustained cohabitation with a mistress is necessary to constitute concubinage.
- **Penalty Adjudication**: Sentencing under concubinage must align with prescribed statutory penalties, considering modifications under applicable sentencing laws like the Indeterminate Sentence Law.

Class Notes

- **Elements of Concubinage (Article 334, Revised Penal Code)**:
 1. **Married Man**
 2. **Acts Constituting Concubinage**:
 - Keeping a mistress in the conjugal dwelling.
 - Sexual intercourse under scandalous circumstances with a woman not his wife.
 - Cohabiting with the woman in any other place.
 3. **Knowledge by Woman**: The woman must be aware of the man’s marital status.

****Application****: The case illustrates the confirmation of all elements, emphasizing non-reliance on strict terminology if factual grounds of cohabitation are clear.

**Historical Background**

- ****Marital Infidelity Penalties****: The case revisits Article 334, an enduring aspect of Philippine penal law addressing marital fidelity, particularly the heavier legal burdens on husbands. The judgment situates modern interpretations within established jurisprudence while addressing procedural and substantial rights of the accused within current legal frameworks.