



Republic of the Philippines
Supreme Court
 Manila

SUPREME COURT OF THE PHILIPPINES
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THIRD DIVISION

NOTICE

Sirs/Mesdames:

Please take notice that the Court, Third Division, issued a Resolution dated February 26, 2020, which reads as follows:

“G.R. No. 240916 (*People of the Philippines v. Isagani Balani y Bagas*). – Considering the allegations, issues and arguments presented in the appellant’s and the appellee’s briefs, which the parties adopted instead of filing their respective supplementary appeal briefs, the Court resolves to **DISMISS** the appeal for failure to sufficiently show that the Court of Appeals committed any reversible error in its January 31, 2018 Decision.

WHEREFORE, the Court **AFFIRMS** the January 31, 2018 Decision of the Court of Appeals in CA-G.R. CR-H.C. No. 09064, finding appellant Isagani Balani y Bagas **GUILTY** beyond reasonable doubt of Qualified Rape as defined under Article 266-A(1)(d),¹ in relation to Article 266-B(1)² of the Revised Penal Code, as amended by Republic Act No. 8353,³ and hereby sentences him to suffer the penalty of *reclusion perpetua* without eligibility for parole.⁴ Appellant is **ORDERED** to pay the victim civil indemnity in the amount of ₱100,000.00; moral damages in the amount of ₱100,000.00; and exemplary damages in the amount of ₱100,000.00. Moreover, all damages

¹ Article 266-A. Rape: *When And How Committed*. - Rape is committed:

1) By a man who shall have carnal knowledge of a woman under any of the following circumstances:

x x x x

d) When the offended party is under twelve (12) years of age or is demented, even though none of the circumstances mentioned above be present.

² Article 266-B. *Penalty*. - Rape under paragraph 1 of the next preceding article shall be punished by reclusion perpetua.

x x x x

The death penalty shall also be imposed if the crime of rape is committed with any of the following aggravating/qualifying circumstances:

1) When the victim is under eighteen (18) years of age and the offender is a parent, ascendant, step-parent, guardian, relative by consanguinity or affinity within the third civil degree, or the common-law spouse of the parent of the victim[.]

³ Known as the “The Anti-Rape Law of 1997.”

⁴ R.A. No. 9346, otherwise known as the “Anti-Death Penalty Law,” proscribed the imposition of the death penalty of *reclusion perpetua* in lieu thereof. Nomenclature is pursuant to A.M. No. 15-08-02-SC, otherwise known as the “Guidelines for the Proper Use of the Phrase “Without Eligibility for Parole” in Indivisible Penalties.”

awarded shall earn interest at the rate of six percent (6%) *per annum* from date of finality of this Resolution until full payment.⁵

SO ORDERED.” (Gaerlan, J., *on leave.*)

Very truly yours,

Misael DC Batt
MISAEAL DOMINGO C. BATTUNG III
Division Clerk of Court
6/4/2020

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1000 Manila

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The Presiding Judge
REGIONAL TRIAL COURT
Branch 102, 1100 Quezon City
[R-QZN-13-03116-CR]

CSSupt. Gerardo F. Padilla
Superintendent
New Bilibid Prison
BUREAU OF CORRECTIONS
1770 Muntinlupa City

Mr. Isagani Balani y Bagas
c/o The Superintendent
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G.R. No. 240916

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⁵ *Nacar v. Gallery Frames*, 716 Phil. 267 (2013).