THIRD DIVISION

[G.R. No. 257783. August 20, 2025]

ARNALDO PUNZAL *Y* DARIA, PETITIONER, VS. PEOPLE OF THE PHILIPPINES, RESPONDENT.

D E C I S I O N

GAERLAN, J.:

Before the Court is a Petition for Review on *Certiorari*[1] filed by petitioner Arnaldo Punzal *y* Daria (Arnaldo) under Rule 45 of the Rules of Court, assailing the Decision[2] dated November 26, 2020 and the Resolution[3] dated October 8, 2021 of the Court of Appeals (CA) in CA-G.R. CR No. 42969. The CA affirmed the Judgment[4] dated January 11, 2019 of Branch 79 of the Regional Trial Court (RTC) of Malolos City, Bulacan in Criminal Case No. 2302-M-2007, finding Arnaldo guilty of bigamy under Article 349 of the Revised Penal Code.

The Facts

The factual antecedents are straightforward.

On August 13, 2007, an Information[5] was filed against Arnaldo for bigamy. The prosecution presented two marriage certificates. The first marriage certificate shows that Arnaldo married Catherine Mercado del Rosario (Catherine) on August 8, 1999, at San Antonio Parish Church, Noveleta, Cavite. The second marriage certificate, meanwhile, indicates that Arnaldo married private complainant Perlita T. Guevan (Perlita) on January 5, 2002, at the Immaculate Concepcion Parish, Sta. Maria, Bulacan.[6]

For his defense, Arnaldo invoked denial and claimed: (1) that he is not the same Arnaldo indicated as the groom in the first marriage certificate since their dates of birth differ; (2) that he has never resided in Cavite, the address indicated in the first marriage certificate; and (3) that the first marriage is null and void for want of a marriage license. In addition, Arnaldo argued that no bigamy was committed because his marriage with Perlita was subsequently declared null and void.[7]

Ruling of the RTC

The RTC found Arnaldo guilty of bigamy, disposing as follows:

> **WHEREFORE,** in view of the foregoing, the Court hereby finds accused Arnaldo Punzal *y* Daria **GUILTY** beyond reasonable doubt of the crime of BIGAMY defined and penalized under Article 349 of the Revised Penal Code. Accused is hereby sentenced to suffer an indeterminate penalty of two (2) years and four (4) months of *prision correccional*, as minimum, to eight (8) years and one (1) day of *prision mayor*, as maximum.
>
> **SO ORDERED**.[8] (Emphasis in the original)

The RTC held that the crime of bigamy was consummated from the time Arnaldo contracted the second marriage. The marriage certificates presented by the prosecution remained uncontroverted, as no contrary evidence was presented by the accused. Arnaldo's contention regarding the lack of a marriage license in the first marriage was found untenable. Even assuming such defect existed, the matter should have first been brought before a competent court for a judicial declaration of nullity.[9]

Arnaldo filed a Notice of Appeal.[10]

Ruling of the CA

The CA denied Arnaldo's appeal, as follows:

> **FOR THESE REASONS**, the instant appeal is **DENIED** for lack of merit. The assailed Judgment dated 11 January 2019 rendered by Regional Trial Court, Malolos City, Bulacan, Branch 79 in Criminal Case No. 2302-M-2007 is **AFFIRMED *in toto*.**
>
> **SO ORDERED.**[11] (Emphasis in the original)

The CA sustained the findings and conclusions of the RTC. It further explained that the judicial decree nullifying Arnaldo's marriage with Perlita (the second marriage) in fact reinforced the case of the prosecution. The petition for annulment filed by Perlita was grounded precisely on Arnaldo's prior marriage with Catherine. It would thus be absurd for Arnaldo to now rely on that very decree—issued on the basis of bigamy—as a defense in this criminal case where he himself stood accused of bigamy.[12]

The CA also ruled that the desistance of the private complainant did not bar the prosecution from proving Arnaldo's culpability.[13]

In its Resolution[14] dated October 8, 2021, the CA denied Arnaldo's motion for reconsideration, holding that the latter merely reiterated arguments already passed upon, which did not justify a modification of its Decision dated November 26, 2020.

Petition for Review on *Certiorari*

Undeterred, Arnaldo filed the present Petition for Review on *Certiorari* before the Court. He reiterates his claim that he is not the same person who contracted the first marriage. Moreover, he insists that the absence of a marriage license in the first marriage certificate defeats the presumption of due execution of the public document. [15]

In view of these contentions, the Court must resolve the following issues:

1. Whether the prosecution sufficiently proved the validity and subsistence of the alleged first marriage of Arnaldo with Catherine Mercado del Rosario; and

2. Whether Arnaldo's conviction for bigamy should stand.

Ruling of the Court

At the outset, the Court notes that the issues raised by Arnaldo generally pertain to questions of fact, specifically his identity in the first marriage contract and the validity of the said marriage for want of marriage license. As a rule, a Petition for Review on *Certiorari* under Rule 45 of the Rules of Court is limited to questions of law. The Court is not a trier of facts, and it ordinarily defers to the factual findings of the lower courts. [16]

Nevertheless, this rule is not absolute. Jurisprudence recognizes several exceptions where the Court finds compelling reasons to resolve the factual issues. In this case of Arnaldo, both the RTC and the CA disregarded material discrepancies between Arnaldo's personal circumstances and those indicated in the first marriage certificate. This circumstance brings the case squarely within the exceptions, particularly to prevent a grave miscarriage of justice.[17]

Thus, even though the petition filed by Arnaldo nominally involves factual matters, the Court proceeds to review the evidence on record to ensure that the conviction rests on proof beyond reasonable doubt. To do otherwise would be to abdicate its Constitutional duty to safeguard the fundamental right of the accused to be presumed innocent until proven guilty.

In the discharge of this duty, the Court now addresses the substantive issues raised in the petition.

Conviction of the crime of bigamy under Article 349 of the Revised Penal Code requires that the prosecution must prove the existence of the following elements: (1) that the offender has been legally married; (2) that the first marriage has not been legally dissolved, or in case his or her spouse is absent, the absent spouse could not yet be presumed dead according to the Civil Code; (3) that he or she contracts a second or subsequent marriage; and (4) that the second or subsequent marriage has all the essential requisites for validity.[18]

On the validity of the alleged first marriage

One of the indispensable elements of bigamy is the existence of a valid and subsisting first marriage at the time the second marriage is contracted. The absence of such a prior valid marriage necessarily negates criminal liability.

Arnaldo anchors his defense on the claim that his alleged first marriage is void *ab initio* for want of a marriage license.

Jurisprudence has consistently treated the absence of a marriage license, save for the exceptions recognized under the Family Code, as rendering the marriage void *ab initio*.

In *Alcantara v. Alcantara*,[19] the Court clarified that the absence of a marriage license may be proven in two principal ways: either it is evident on the face of the marriage contract itself, or it is established by a certification from the local civil registrar categorically stating that no license was issued to the contracting parties. This evidentiary standard was reinforced in *Republic v. CA*,[20] where the Court accorded probative weight to a certification of due search and inability to find, issued by the local civil registrar who is the official custodian on marriage license records. Relying on this certification, the Court declared the marriage *void ab initio* for lack of the requisite marriage license. The same principle governed in *Nicdao Cariño v. Yee Cariño*,[21] where the marriage was invalidated because the marriage contract bore no license number, and the local civil registrar confirmed that no record existed of any license issued to the parties.

More importantly, in *Pulido v. People*,[22] the Court further held that a void ab initio marriage constitutes a valid defense in a prosecution for bigamy even without a judicial declaration of absolute nullity. This is grounded on the principle that when a marriage is void from the beginning, one of the essential elements of the crime of bigamy—the existence of a valid, subsisting marriage—is absent. Consequently, whether it is the first or the second marriage that is void *ab initio*, proof of such nullity, if sufficiently established, is a complete defense to the charge of bigamy.

In this case of Arnaldo, both the prosecution and the defense presented evidence confirming the absence of a marriage license for the alleged first marriage. The prosecution, through the testimony of Rowen G. Lovino, representative of the Civil Registrar of Noveleta, Cavite, established that no marriage license was attached to the first marriage certificate. Complementing this, the defense produced a Certification issued by the Local Civil Registrar of Imus, Cavite—the place of Arnaldo's alleged residence at the time of the first marriage—categorically stating that no record existed of any marriage license issued to Arnaldo and Catherine.[23]

The records further disclose that in a separate civil proceeding for annulment of marriage, a Decision[24] was issued declaring Arnaldo's second marriage null and void on the ground of bigamy. While such decree confirmed that the civil case proceeded on the premise of an alleged prior or first marriage, it cannot be taken as conclusive proof of the validity and subsistence of that first marriage for purposes of criminal liability. The standards of proof and the rules on evidence in civil actions differ from those in

criminal prosecutions, where the quantum of evidence required is proof beyond reasonable doubt. Thus, the prosecution in this criminal case could not rely solely on the ruling in the said separate civil proceeding to establish the first element of bigamy; it still bore the burden of independently proving that the first marriage was valid and subsisting at the time of the second marriage. This burden was not discharged here.

On the identity of Arnaldo as party to the alleged first marriage

Assuming *arguendo* the validity of the first marriage, the prosecution nonetheless failed to prove beyond reasonable doubt that Arnaldo was the same individual who contracted it.

The date of birth and residence indicated in the first marriage certificate diverge from Arnaldo's own details. Although the lower courts considered these inconsistencies as minor—particularly in light of their observation that the signatures in the first and second marriage certificates appear similar—this similarity, standing alone, is at best an inconclusive indicator of identity unless supported by competent expert testimony or other independent proof. Moreover, these discrepancies acquire probative significance when considered with the failure of the prosecution to controvert Arnaldo's birth certificate and the unrebutted testimonies of witnesses asserting that Arnaldo was never a resident of the address stated in the first marriage certificate.[25]

It must likewise be emphasized that the entries in a marriage certificate, including personal particulars such as age, date of birth, and residence, are ordinarily supplied by the contracting parties themselves. These details are not independently verified by the solemnizing officer or the local civil registrar, rendering them susceptible to error, inaccuracy, or even intentional misrepresentation. Absent corroborating, credible evidence directly linking Arnaldo to the alleged first marriage, these inconsistencies engender reasonable doubt as to his identity.

On the presumption of regularity of the marriage certificates and the presumption of innocence

A marriage certificate, as a public document, is accorded by law the presumption of regularity in its execution and in the performance of the official duties that led to its issuance. This presumption, however, is merely *prima facie*. Meaning, it operates only in the absence of competent evidence to the contrary and may be rebutted by proof showing that the facts stated therein are inaccurate or incomplete.[26]

In the context of a criminal case, this evidentiary presumption is further circumscribed by the presumption of innocence in favor of the accused. No less than the Constitution gives this mandate. The presumption of regularity, being a statutory or procedural rule of evidence, cannot override the fundamental right that no person shall be convicted of a crime unless guilt is proven beyond reasonable doubt. In other words, where these two presumptions intersect, the presumption of innocence must always prevail.[27]

Applied to prosecutions for the crime of bigamy, the mere presentation of a marriage certificate purporting to evidence the first marriage does not, by itself, conclusively establish the existence of a valid and subsisting prior marriage—particularly where credible evidence is adduced by the defense to show that the alleged first marriage is rendered void *ab initio*, or where the identity of the accused as a party to such marriage remains in doubt.

In this case of Arnaldo, the evidence presented by the prosecution itself not only revealed the absence of a marriage license, but also failed to remove reasonable doubt as to Arnaldo's identity as the groom in that marriage. In light of these, the *prima facie* presumption of regularity is overcome. The prosecution having failed to establish beyond reasonable doubt all the elements of bigamy, acquittal is the necessary consequence.

The Court does not lose sight of the Constitutional and statutory policy to protect and uphold the sanctity of marriage as the foundation of the family and, ultimately, of the nation. Bigamy is penalized precisely because it undermines this institution and causes deep personal and social harm. In upholding the sanctity of marriage, however, the Court must remain vigilant that such aim does not erode the fundamental rights of the accused.

The presumption of innocence is a cardinal principle of criminal justice, and it demands that no person be adjudged guilty unless the prosecution discharges its burden of proving each element of the crime or offense beyond reasonable doubt. Where such proof is wanting, as in this case, the law and the Constitution alike compel the Court to acquit.

ACCORDINGLY, the Petition for Review on *Certiorari* is hereby **GRANTED**. The Decision dated November 26, 2020, and the Resolution dated October 8, 2021 of the Court of Appeals in CA-G.R. CR No. 42969 are hereby **REVERSED** and **SET ASIDE**. Petitioner Arnaldo Punzal *y* Daria is **ACQUITTED**.

Let entry of judgment be **ISSUED** immediately.

SO ORDERED.

Caguioa (Chairperson), Inting, and *Dimaampao, JJ*., concur.
Singh,[*] *J*., on leave.

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[*] On leave.

[1] *Rollo*, pp. 30-44.

[2] *Id.* at 12-29. Penned by Associate Justice Elihu A. Ybañez and concurred in by Associate Justices Rafael Antonio M. Santos and Tita Marilyn B. Payoyo-Villordon of the Tenth Division, Court of Appeals, Manila.

[3] *Id.* at 9-10.

[4] *Id.* at 51-61.

[5] *Id.* at 66. That on or about the 5th day of January 2002, in the municipality of Norzagaray province of Bulacan, Philippines and within the jurisdiction of this Honorable Court, the said accused Arnaldo Punzal *y* Daria, being then legally married to Catherine del Rosario *y* Mercado, and without such marriage having been legally dissolved, did then and there willfully, unlawfully and feloniously contract a second or subsequent marriage with one Perlita T. Guevan.

[6] *Id.* at 13-14.

[7] *Id.* at 14-15.

[8] *Id.* at 61.

[9] *Id.* at 15.

[10] *Id.*

[11] *Id.* at 28.

[12] *Id.* at 18-20.

[13] *Id.* at 27.

[14] *Id.* at 9-10.

[15] *Id.* at 33.

[16] **Pequero v. People, G.R. No. 263676**, August 7, 2024 [Per J. Gaerlan, Third Division] at 7. This pinpoint citation refers to the copy of the Decision uploaded to the Supreme Court website.

[17] *See* **Gumabon v. Philippine National Bank**, 791 Phil. 101, 102 (2016) [Per J. Brion, Second Division]. Questions of fact may be raised before this Court in any of these instances: (1) when the findings are grounded entirely on speculations, surmises, or conjectures; (2) when the inference made is manifestly mistaken, absurd, or impossible; (3) when there is a grave abuse of discretion; (4) when the judgment is based on misappreciation of facts; (5) when the findings of fact are conflicting; (6) when in making its findings, the same are contrary to the admissions of both appellant and appellee; (7) when the findings are contrary to those of the trial court; (8) when the findings are conclusions without citation of specific evidence on which they are based; (9) when the facts set forth in the petition as well as in the petitioners main and reply

briefs are not disputed by the respondent; and (10) when the findings of fact are premised on the supposed absence of evidence and contradicted by the evidence on record.

[18] **Bonbon v. People, G.R. No. 272844**, February 24, 2025 [Per J. Gaerlan, Third Division] at 7. This pinpoint citation refers to the copy of the Decision uploaded to the Supreme Court website.

[19] 558 Phil. 192 (2007) [Per J. Chico-Nazario, Third Division].

[20] 306 Phil. 284 (1994) [Per J. Puno, Second Division].

[21] 403 Phil. 861 (2001) [Per Ynares-Santiago, First Division].

[22] 908 Phil. 573 (2021) [Per J. Hernando, *En Banc*].

[23] *Rollo*, p. 56.

[24] *Id.* at 79-84.

[25] *Id.* at 53-55.

[26] **Genio v. People**, 950 Phil. 311, 324 (2024) [Per J. Inting, Third Division].

[27] *Id.* at 329.

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