

[ADMINISTRATIVE ORDER NO. 35, June 15, 1954]

REMOVING MR. PEDRO B. PUGA FROM OFFICE AS JUSTICE OF THE PEACE OF ZARRAGA AND LUCENA, ILOILO.

This is an administrative case against Justice of the Peace Pedro B. Puga of Zarraga and Lucena, Iloilo, who is charged with maladministration of justice and partiality in the performance of his official duties. The case was investigated by the District Judge who found the following facts duly established:

On May 17, 1952, a complaint for frustrated murder against Rodolfo Pinuela, Jovito Pinuela and Emilio Po was filed in respondent's court at Zarraga, with the complainant herein, Andresito C. Sotero, as the offended party (Crim. Case No. 153). The respondent fixed a bond of P2,000 for the provisional liberty of each of the accused.

The preliminary investigation was set for September 19, 1952, but on that date, instead of proceeding with the hearing, the respondent, seconded by Mayor Pinuela of Zarraga, father of accused Rodolfo Pinuela, advised the offended party to agree to an amicable settlement of the case. However, the latter rejected the proposal, in view of which the hearing was postponed. The case was next set for hearing on October 31, 1952, but it was again postponed because of the non-appearance of defense counsel. After the offended party had left the courtroom, he was approached by the respondent who reminded him of the proposed amicable settlement and urged him to accept the offer to be paid a certain sum by way of indemnity. Again the offended party turned down the proposal.

When the case was called for the third time on November 14, 1952, the defense counsel asked for further postponement, but the respondent denied the petition obviously because by that time he had already been apprised of the present administrative complaint filed against him by Andresito C. Sotero. Thereafter the accused waived their right to a preliminary investigation. As Sotero was leaving the municipal building, the respondent remarked to him: "Inasmuch as you do not like any amicable settlement, prepare your bond for you will be accused."

True enough, on that same day (November 14th), the chief of police of Zarraga filed an amended complaint in Criminal Case No. 155 for less serious physical injuries so as to include herein complainant Andresito C. Sotero and others among the accused. The original complaint in this case dated May 15, 1952, was filed against one Marcelo Sindol alone. The affidavit incriminating Sotero and others, which was made the basis of the amended complaint, was executed before Mayor Pinuela by Emilio Po, one of the co-accused of Rodolfo Pinuela (the mayor's son) in Criminal Case No. 153 but who was excluded therefrom on October 31, 1952.

On December 24, 1952, another criminal complaint was docketed by the respondent against Andresito C. Sotero (Crim. Case No. 172), the same having been subscribed