

Witness present and duly sworn on 18.02.2025**Cross examination by Sri.RSSR Advocate for Respondent no.2:-**

At the time of accident I was proceeding from Bengaluru to Baykonda Gangamma temple. I and my friend were traveling on the motorcycle. We left Hoskote, Bengaluru at 5.30a.m. It is true to suggest that the accident occurred at Mulaganahalli village, Chinthamani Taluk. It is true to suggest that the distance between Hoskote to incident place is about 50kms. It is false to suggest that the alleged incident road is two way road. It is false to suggest that as per Ex.P-5 rough sketch the alleged incident road is two road.

2. It is true to suggest that the accident occurred at junction, it connects four roads. The distance between footpath to the place which I proceed was 5ft. When I reached the incident place the time is about 7.30a.m. I did not remember how many vehicles were plying around my vehicle. Witness further states that 2-3 vehicles were plying around us.

3. The offending vehicle was coming from Chinthamani. 2-3 vehicles were coming from my opposite side. It is false to suggest that the offending vehicle was not coming from Chinthamani main road whereas it was coming from village road. It is false to suggest that there was moist at the time of accident. It is false to suggest that I was riding my motorcycle with high speed, by seeing the offending vehicle, I fell myself

on the road and thereby the pillion rider fell down and succumbed from the accidental injuries. It is false to suggest that accident occurred due to my negligence.

4. The motorcycle which I was proceeding belongs to pillion rider. I did not know whether pillion rider/my friend was having DL or not. It is false to suggest that at the time of accident neither me nor my friend were wearing helmet. I do not know who have lodged the complaint before police. Witness voluntary states that after discharge from the hospital, I lodged the complaint before police. I can't produce the said complaint before this court. It is false to suggest that accident occurred due to my negligence thereby I have not lodged any complaint before police. It is false to suggest that accident occurred due to my negligence thereby I am liable to pay compensation to the petitioner in MVC 1985/2023.

5. Initially I went to Chinthamani Govt hospital. They have not given any treatment. Thereafter I shifted to Jalappa hospital. It is false to suggest that the Chinthamani Govt hospital had given first aid treatment and they had given wound certificate at E.xP-7. I have not narrated history of accident before Chinthamani Govt hospital. It is false to suggest that with intention to suppress the true facts, I did not give any statement before Chinthamani Govt hospital. It is false to suggest that if accident was not occurred due to my

negligence, definitely the MLC would have been registered in Chinthamani Govt hospital. It is false to suggest that as per Ex.P-7 wound certificate I have not sustained any grievous injuries.

6. It is false to suggest that in order to get more compensation, I in active collusion with Jalappa hospital, have created Ex.P-10 discharge summary. It is false to suggest that I was not admitted as inpatient in Jalappa hospital for 23days however, in order to get compensation I have got created Ex.P-10 discharge summary for this case. It is false to suggest that I have taken only conservative treatment and not admitted as inpatient in Jalappa hospital. It is false to suggest that I have not spent Rs.1,00,000/- towards medical expenses and other incidental charges.

7. It is false to suggest that serial no.4 of Ex.P-14 is invoice cum receipt and not final bill. It is true to suggest that I have spent only Rs.7,000/- as per serial no.4 of Ex.P-14. It is false to suggest that serial no.5 to 69 medical bills are included with serial no.4 of Ex.P-14. It is false to suggest that the serial no.5 to 69 are tax invoice bills and not cash bills. It is false to suggest that I have not spent Rs.42,930/- as per Ex.P-14.

8. I studied 2nd PUC. Prior to accident I was working, now I am not working. I was working in Amazon for 6 years.

In order to substantiate the same, I have produced the Ex.P-11 before this court. It is false to suggest that Ex.P-11 bank statement is not related to my job. It is false to suggest that I was not working in Amazon as I stated even though I am deposing falsehood as I was working in Amazon and getting Rs.19,000/-. It is false to suggest that in order to get more compensation from this court, I deposed falsehood as I was getting Rs.19,000/- salary per month. Presently I am getting salary of Rs.23,000/- per month. It is false to suggest that the accidental injuries do not effect to my job and I am working as earlier.

9. It is false to suggest that I deposed falsehood in para-5 of my chief affidavit regarding marriage prospectus. I have not surrendered my DL as I was unable to drive. It is false to suggest that I am able to drive vehicles as earlier.

Re-examination: Nil.

(Computerised to my dictation in the Open Court).

R.O.I. & A.C.

IIAddl.

Judge