

Deposition of: Rangegowda
Witness present and duly sworn on: 19-5-2022
Examination in chief by Advocate for petitioner

I have filed my affidavit in lieu of my examination-in-chief and the contents of the said affidavit are true and correct and it bears my signature.

I have produced 1. FIR, 2. Complaint, 3. spot panchanama, 4. wound certificate, 5. IMV report, 6. NIMHANS case records, 7. Certified copy of discharge summary, same are marked as **Ex.P.1 to P.7** respectively.

Further chief examination deferred.

(Evidence deposed by the witness is computerized to my dictation in the open court).

R O I & A C

**Chief Judge
Bangalore.**

WITNESS IS PRESENT AND DULY SWORN ON 06.12.2022.

Further Chief Examination by Smt.SKP Advocate for Sri.CMG, the learned counsel for the petitioner:

I have produced certified copy of statement of 3 witnesses given before the police and chargesheet regarding the accident and the same are marked at **Ex.P.8 to P.11** respectively.

I have produced OPD card, 4 prescriptions, 2 Advance receipts, final bill and 67 medical bills regarding my treatment and same are marked at **Ex.P.12 to P.16** respectively.

I have also produced Notarized copy of my Adhaar card and Unique disability ID card issued by Government of India along with original. The notarized copies of those documents are compared with original and found correct and hence, the notarized copies of my Aadhar card and Unique disability ID card are marked at **Ex.P.17 and P.18** respectively. (The original of the documents at Ex.P.17 and P.18 are returned to the witness with the direction to produce the same before the Court as and when required).

**Cross Examination by Sri.RSS Advocate for Respondent
No.2:**

(The respondent No.2 and its counsel are absent. However, on the submission of the learned counsel for the petitioner, the cross examination is deferred till the next date of hearing)

(Computerized as per my dictation in open court)

R.O.I.&.A.C.

CHIEF JUDGE,
Court of Small Causes,
Bengaluru.

WITNESS IS PRESENT AND DULY SWORN ON : 10.01.2023.

Cross Examination by Sri.KN Advocate for Sri.RSS, the learned counsel for the respondent No.2:

I am now studying B. A. Degree. The Passon Pro bike in which I was proceeding as pillion rider is belonging to my elder brother Sampth Kumar. It is true to suggest that the accident took place out side the city. It is true to suggest that at the time of accident there were no other persons present at the spot. I lost conscious in the accident. At the time of accident the road was free. There was no other vehicle, any persons or any animals in the road at the time of accident.

Immediately after the accident I was taken to Government hospital, Magadi. After the accident I was taken to hospital by my elder brother, the respondent No.1. When I was shifted to hospital I was unconscious and hence I did not tell the doctor as to how the accident took place. It is false to suggest that in the wound certificate at Ex.P.4 there is no mention that I was unconscious when I was taken to the hospital. After Magadi Government hospital, I went to NIMHANS hospital and KIMS hospital. It is true to suggest that my elder brother, the respondent No.1 gave information regarding me at NIMHANS hospital. I am residing along with my elder brother, the respondent No.1 and my parents. My

parents are not having any knowledge and hence they did not give any complaint to the police regarding the accident.

The complainant Shankar is the son my younger uncle. I do not know that the said Shankar did not witness the accident. I do not know when the said Shankar gave complaint to the police regarding the accident. It is false to suggest that I was riding the Motor cycle at the time of accident and the accident occurred due to some other vehicle dashed against the said Motor cycle. It is false to suggest that the vehicle which caused the accident went away from the spot and myself and my elder brother could not trace the said vehicle and its registration number. It is false to suggest that my elder brother, the respondent No.1 gave information before NIMHANS hospital that I was riding the Motor cycle at the time of accident and the accident occurred as some four wheeler hit the said Motor cycle.

It is false to suggest that as the four wheeler which caused the accident could not be traced, thereafter the false complaint was got given through the son of my younger uncle, implicating the above said Motor cycle falsely alleging that the said Motor cycle was ridden by the respondent No.1 at the time of accident. It is false to suggest that I was riding the Motor cycle at the time of accident. It is also false to

suggest that if I was riding the Motor cycle I could not get the compensation, a false complaint was given against the said Motor cycle alleging that my elder brother, the respondent No.1 was riding the said Motor cycle.

It is true to suggest that I am not having any driving licence for riding the Motor cycle. I do not know that neither the respondent No.1 nor the above said Shankar told before the Government hospital Magadi and KIMS hospital, Bengaluru as to how the accident took place. It is false to suggest that the respondent No.1 and the above said Shankar colluded with the police and falsely created case against the Motor cycle only for getting compensation to me regarding the accident.

The respondent No.1 suffered simple injuries to his right shoulder and right thigh. I do not know where the respondent No.1 took treatment regarding the injury suffered in the accident. There is no impediment for me to produce document regarding the treatment taken by the respondent No.1 regarding the accident. It is false to suggest that the respondent No.1 was not with me at the time of accident and he was not riding the Motor cycle. It is false to suggest that the accident occurred due to my negligence in riding the Motor cycle.

It is false to suggest that I have not taken any follow up treatment after discharge from KIMS hospital. It is true to suggest that I have not produced any document to show that I took follow up treatment as outpatient. It is false to suggest that I am not suffering from any difficulties or deformities as mentioned in para No.4 to 6 of my affidavit.

At the time of accident I was studying in First Year Degree class. Now I am studying Final Year Degree. It is false to suggest that I am not suffering from any difficulty as mentioned in para No.6 of my affidavit in my studies. I have not spent Rs.6,00,000/- towards my medical treatment, conveyance, nourishment and other incidental charges. It is false to suggest that I am not suffering from any physical disability due to the injuries suffered in the accident. It is false to suggest that I am deposing false to get compensation in the case.

Re-examination : Nil.

(Computerized as per my dictation in open court)

R.O.I.&.A.C.

CHIEF JUDGE,
Court of Small Causes,
Bengaluru.