

Witness present and duly sworn in on: 26.03.2024

Chief examination by Smt. HDL 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.

Today I have produced the following documents in support of the case:

Ex.P.1	True copy of FIR
Ex.P.2	True copy of Complaint
Ex.P.3	True copy of sketch
Ex.P.4	True copy of Spot Mahazar
Ex.P.5	True copy of Inquest Report
Ex.P.6	True copy of PM Report
Ex.P.7	True copy of IMV report
Ex.P.8	True copy of Charge sheet
Ex.P.9	True copy of section 133 Police notice
Ex.P.10	True copy of Reply to section 133 police notice
Ex.P.11	Notarized copy of Aadhaar card of deceased
Ex.P.12 to 17	Notarized copy of petitioner No.1 to 6 Aadhaar card
Ex.P.18	Flight boarding pass 3 in no's
Ex.P.19	Ambulance cum flight ticket and bills issued by Kaveri Ambulance service (R) amounting Rs.1,10,186/-
Ex.P.20	Cargo bill

Ex.P.21	Provisional cause of death certificate issued by KIMS Hospital
Ex.P.22	No objection certificate
Ex.P.23	Certificate of embalming issued by Kaveri Medical service
Ex.P.24	Sealing certificate to dead body issued by Kaveri Coffin Makers

NOTE: Ex.P.11 to 17 is marked by comparing with original and same is returned to petitioner.

Cross examination by Shri. HCB Advocate for Respondent.

It is true to suggest that, I am permanently residing at Uttar Pradesh I am home maker. Deceased had 5 brother and sisters. It is true to suggest that, brother and sister of the deceased also residing at UP. It is false to suggest that, we all brother-in-laws stays together. It is false to suggest that, petitioner no.5 and 6 are residing with my brother-in-law. It is true to suggest that, I have not produced ration card to show that petitioner no.5 and 6 are residing with me. It is false to suggest that, brother-in-laws are looking after me and petitioner no.5 and 6.

2. It is false to suggest that, as my brother-in-laws are residing with me so I have not produced their Aadhara cards. It is false to suggest that, deceased was not contributing to your family he was residing independently. It is true to suggest

that, I had not witnessed the accident. Police informed me about the accident. I can not say who lodged the complaint. I came to Bangalore after cremation. It is true to suggest that, accident took place while deceased was crossing the road.

3. Later on I came to know how accident took place. I went to see the spot. It is false to suggest that, the said road in 100 feet in width and there was no zebra cross for crossing the road. It is false to suggest that, accident took place when deceased was crossing the road negligently. It is false to suggest that, if deceased crossed the road cautiously accident would have not taken place. It is false to suggest that, there was no fault on the part of two wheeler rider. It is false to suggest that, as accident took place due to negligence of deceased so, two wheeler rider and pillion rider also sustained injuries. It is false to suggest that, In collusion with the police I got lodged the false complaint against offending vehicle and rider.

4. My husband studied up to 10th standard. My children are minors and going to school. It is true to suggest that, I have not produced any documents to show his income and avocation. It is false to suggest that, I am deposing falsely that, I spent Rs.5,00,000/- towards funeral expenses and transportation of dead body. It is false to suggest that, I am deposing falsely that, he was earning Rs. 50,000/- per month

as a contractor. It is false to suggest that, I got created Ex.P.18 and 19. It is false to suggest that, as accident took place due to negligence of deceased so Respondent is not liable to pay any amount. It is false to suggest that, deceased was aged more than 45 years.

RE-examination:NIL.

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

R O I & A C

XV ASCJ, Bengaluru.