**CP No. 917/2019**

**Exh. 58**

**On 25/06/2026**

**Examination-in-chief of DW 1 resumed on S.A. by Shri Girish Dipwani, learned Advocate for respondent No. 2:**

I have produced the documents in a list Exh. 60, which are as follows :

i] Copy of FIR lodged by witness against registered owner Exh. 62

ii] True Copy of premium receipt Exh. 63

iii] True Copy of sample policy Exh. 64

iv] True Copy of letter undated to police commissioner along with track report with postal receipt Exh. 65 collectively,

v] O/c of letter undated addressed to SHO Lakadganj police station along with track report with postal receipt Exh. 66 collectively,

vi] True Copy of letter to RTO dt. 25/4/23 along with track report with postal receipt Exh. 67 collectively,

vii] True Copy of letter to registered owner dt. 25/4/23 with track report with postal receipt Exh. 68 collectively,

viii] Original certificate u/s 63 of BSA Exh. 69.

**Cross-examination for respondent No. 1**

2] Respondent No. 1 and Advocate when called out absent, hence, no cross.

**Cross-examination by Smt. Uma Bhattad, learned Advocate for petitioner:**

3] I have been attached to office since 6/5/24. The insurance company received the notice on 16/12/2019 vide report Exh. 9. I have not annexed any investigation report pertaining to the registered owner and driver conducted before making a complaint to the police commissioner. I have not produced certificate under BSA. Learned Advocate submits that he will submit it now. It is correct that as mentioned in track report Exh. 65 collectively the said notice had been delivered to the addressee. It is correct to say that there was no investigation by company in my present. Witness volunteers that, however, I lodged the complaint. In the matter registered owner has not yet been convicted. Witness volunteers that investigation is going on and FIR has already been registered as mentioned in Exh. 62. I have not annexed any screenshot of the search made out in respect of fake policy produced by the petitioner. There are more than 50 to 100 agents of the company.

4] Now I am refereed with copy of policy annexed with list Exh. 4. Since the said copy is referred, it is now marked as **Exh. 70** for identification purpose. It is correct to say that Lobo similar to our company is appearing in the said policy. Witness volunteers that however it is shown to the left instead to the right. It is not correct to say that Amit Mahalle, is our regular client. It is correct to say that for the first time owner had been issued with the notice (Exh. 68 collectively) for the first time on 25/4/23. It is not correct to say that at the time of accident the policy below Exh. 70 was in existence and it is a valid policy. The company did not call any forensic report pertaining to forged policy. It is not correct to say that I am deposing false to avoid the liability of the company.

R.O.A.C.

Before me

Sd/-

Dt/-25/06/2026

(Smt. M.A. Baraliya)
Member,
Addl. Temp. MACT., Nagpur.

**Due to recess, cross-examination adjourned**.

**After recess, Cross-examination resumed on S.A. by Miss. Komal Aasare, Advocate, holding for Smt. Uma Bhattad, learned Advocate for petitioner:**

5] The data is filled up by the employees of the head office in the computer system. I cannot say the name of the person, who fed up the information of premium in the computer. All documents are made available from the company's record the premium register. It is not correct to say that certificate Exh. 69 produced by me is a false certificate.

Re-examination – Nil.

R.O.A.C.

Before me

Sd/-

Dt/-25/06/2026

(Smt. M.A. Baraliya)
Member,
Addl. Temp. MACT., Nagpur.

**CERTIFICATE**

I affirm that the contents of this evidence are word to word as per original evidence uploaded in the CIS System by way of PDF File.

Name of Stenographer : A.W. Sangle