

ORDERS ON IA NO.IV

This application under Section 58 of Bharatiya Sakshya Adhiniyama is filed by the claimant to treat the true copy of the medical bills as secondary evidence and permit the claimant to rely on the said documents.

2. The Respondent no.1 has filed objections opposing the application.

3. Heard, perused the materials on record.

REASONS

4. Claimant contends that he has lost original medical bills of Punya Hospital at the time of house repair. Thereafter, he has approached the hospital authorities and obtained true copies attested by Dr. Mahesh of Punya Hospital. Accordingly, it is sought for permission to mark the copies of the medical bills by treating it as secondary evidence.

5. On the other hand, the respondent no.1 contend that the claimant has not received any injuries in the accident. He has also not admitted to the Punya Hospital for 10 days and also not obtained any treatment. The medical bills are created on collusion with the

doctor in order to get compensation. The created documents cannot be considered as secondary evidence.

6. In this scenario, this court has given careful reading of the medical documents produced by the claimant. Admittedly, the discharge summary, medical bills and bills of Punya Pharmacy are attested by Dr. Mahesh, Orthopedic surgeon, Punya Hospital. Those are photocopies of the computerized bills. Except 2 to 3 handwritten bills issued by laboratory and physiotherapist.

7. Section 58 of Bharatiya Sakshya Adhiniyama 2023 provides that copies made from the original by mechanical process which in themselves ensure the accuracy of the copy includes secondary evidence. The true copies produced by the claimant are the copies obtained from the original by mechanical process and attested by the competent person. Therefore, there is no legal impediment to treat the said medical documents as secondary evidence by permitting the claimant to mark the documents as exhibits. Accordingly, this court proceed to pass the following:

ORDER

I.A.No.IV under section 58 of
Bharathiya Sakshya Adhinyama
filed by the claimant is allowed.

The claimant is permitted to
produce and mark documents
produced along with list dated
16.09.2025.

(Kalpana M.S.)
IV Addl. Dist. & Sessions
Judge, Hassan District.
At Channarayapatna