

Witness present and duly sworn on: 18.12.2025.

Examination in chief by: Sri.MSR., for MPPS., Advocate for Petitioner.

I am the petitioner No.1 in this petition. I am filing affidavit in lieu of examination in chief. I state that the contents of the affidavit are true and correct to the best of my knowledge.

I have produced the following documents:

1. Certified copy of FIS, Requisition, Further statement of the complainant, Charge sheet, Inquest mahazar, PF form, Spot mahazar, PM Report, MVA report, MLC Extract, Seizure mahazar, Requisitions dated:20.01.2018 – 2 No's, B-Extract, Notice and reply are related to the Nagamangala Rural PS Crime No.02/2018 are marked as Ex.P1 to Ex.P16.
2. RTC's – 10 No's are marked as Ex.P17 to Ex.P26.
3. Aadhaar cards – 8 No's are marked as Ex.P27 Ex.P34.

Cross examination of the witness by: Sri.SBM., for BCB., Advocate for Respondent No.3:

I have studied up to PUC. Except petitioners no other legal heirs to Venkateshgowda. I am doing agriculture. We are in joint family. It is true to say that till day we are doing agriculture in the joint family. It is true to say that during life time of my father he has performed marriages of my sisters. I am unmarried. It is false to suggest that my father age was 80 years and he was not doing any work. It is false to suggest that my father was is leading his life from our income.

It is false to suggest that I have not personally witnessed the accident. Myself admitted my father in the hospital.

Initially we have shifted my father to the Nagamangala Government Hospital. On the same day of the alleged accident we have shifted my father from Nagamangala Government Hospital to AC Giri hospital. We have not made entries in respect of offending vehicle in the medical records of Nagamangala Government Hospital and AC Giri Hospital. My father was ill health so I could not able to give the complaint on the same day of the alleged accident. After two – three days of the alleged accident I have lodged the complaint before police.

It is false to suggest that after 7 to 8 days I have lodged the complaint before police and alleged accident caused due to the fault of my father and lodged false complaint against the offending vehicle before police.

I have produced RTC's to show that my fathers monthly income is of Rs.30,000/-. It is false to suggest that my father was not earning the income of Rs.30,000/- per month. It is false to suggest that only one RTC stands in my fathers name. It is false to suggest that my father was not doing agriculture and he was depending on our income. It is false to suggest that we have not spent Rs.60,000/- for shifting the body from hospital to village. It is false to suggest that I have not suffered any loss because of death of my father. It is false to suggest that I have created documents to claim the compensation. I don't know about rider of the two wheeler. I have not given any evidence before any Court except this case.

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It is false to suggest that the rider was not having driving license and the insurance company is not liable to pay compensation and I am deposing falsely.

Respondent No.1 and 2 and their advocates are called out absent. Hence, further cross examination of PW1 by respondent No.2 and 3 is taken as nil.

(Typed to my dictation in the open court, corrected and then signed by me)

R.O.I. & A.C.

1st Addl. Senior Civil Judge & JMFC.,
Nagamangala