

Witness called and duly sworn on: 18.08.2025

CROSS EXAMINATION BY: SMT. K.L.S, LEARNED COUNSEL FOR RESPONDENT NO.2:

1. At the time of accident I was riding the motor cycle. The said motor cycle belonging to me. I do not know if my vehicle was insured at the time of accident or not. I possessed a valid and subsisting D.L. at the time of accident. I have no impediment to produce the same before this court. I do not remember as to from which RTO I procured the D.L. It is false to suggest that despite the fact that I did not possess the D.L. at the time of accident, I have deposed false facts before this court. I have not filed an application before the RTO seeking duplicate D.L on the ground that the previous D.L was misplaced in the accident. It is false to suggest that as I did not possess the D.L. at the time of accident, I did not apply for fresh D.L.

2. It is false to suggest that as I had suffered only minor injuries in the accident, I have recovered fully from the same. Witness states that I had suffered injuries on my nose and back of the head, I am not in a possession to work.

3. The accident occurred on Mysuru- Manandavadi main road. I do not know if it is a state highway. The road is straight at the spot where the accident occurred. I observed the car when it was at a distance of about 500 meters through rear mirror. When I observed the car was coming in the left lane.

4. The informant lodged the FIS as per the information given to him by me. I do not if the informant had any impediment to lodge the FIS

on the same day. It is false to suggest that as per the FIS the motor cycle which I was riding had hit the car from rear side. One Smt. Lakshmi is my wife and I informed her as to what exactly transpire on that day. It is false to suggest that as per Ex P22 which is my wound certificate, my wife has informed the doctors that the accident occurred when my motor cycle hit the car for rear side.

5. It is true to suggest that at the time of accident I was conversing with the PW1. It is false to suggest that as I was conversing with PW1 instead of focusing on the road, my own negligence resulted in the accident as I dashed my vehicle against the car from behind. I am not aware the contents of IMV report. It is true to suggest that in the said accident the front side mud guard of my motor cycle was broken, the mirrors were twisted and the rear side bumper of the car was found broken.

6. The contents of the Ex P4 rough sketch regarding the fact that on the left side of point of impact we had four feet space available and towards right side fourteen feet space was available are true and correct.

7. It is false to suggest that perusal of charge sheet, Ex P4 rough sketch and Ex P5 IMV report make it clear that the accident occurred entirely due to negligence on my part and there was no negligence on the part of driver of the car. It is false to suggest that considering the fact that towards my right around 14 feet space was available as such had I been more vigilant, the accident could have been averted. At the

time of accident I was riding the motor cycle at the speed of around 30-35 k.m. per annum.

8. It is false to suggest that I was not riding my vehicle at speed of 30-35 k.m. per hour as deposed by me. It is false to suggest that had I been riding my vehicle at moderate speed and had I maintained safe distance from the car which was proceeding ahead of me, the accident would not have occurred.

9. Though the PW1 was not wearing headgear, I was wearing it. It is false to suggest that had I been wearing headgear, I would not sustained injuries on my head and face region. It is false to suggest that the car was proceeding correctly on the left side of the road and the motor cycle hit the car from behind. It is false to suggest that there was no negligence on the part of driver of the car instead entire negligence was on my part.

10. It is false to suggest that I in collusion with the driver and owner of the car as well as the police officials got lodged false FIS depicting as if negligence was entirely on the part of driver of the car.

11. I obtained treatment at K.R. Hospital. I have not consulted any doctor for the injuries sustained in the accident ever since I was discharged from K.R. Hospital. It is false to suggest that I have not incurred medical expenses to the tune of Rs. 20,000/- and other expenses to the tune of Rs. 50,000/- as averred by me in my affidavit and yet I have asserted false facts just to claim higher compensation.

12. It is true to suggest that I have availed treatment at K.R. Hospital free of cost. Witness states that however I have incurred expenses towards procurement of medicine prescribed by the doctors. I do not have any document to substantiate my contention regarding my income prior to the accident.

13. I have studied upto 4th standard. Prior to the accident I was earning Rs. 700 -800 per day by doing collie work. Now I am unable to said work. It is false to suggest that even now I am doing the very same work and earning more income than what I was earning prior to the accident and yet I have deposed false facts before this court. It is false to suggest that though I have not suffered any disability due to injuries sustained in the accident, I have asserted false facts just to claim higher compensation.

14. It is false to suggest that as I was solely responsible for the accident, and as there was no negligence on the part of driver of the car, the respondent No. 2 company is not liable to pay any compensation to me. The I.O had asked me to produce my D.L, but I did not produce the same. It is true to suggest that the I.O has not invoked any provisions under M.V. Act against me.

13. It is false to suggest that I have not suffered disability due to injuries sustained in the accident and yet I have deposed false facts just to claim higher compensation. It is false to suggest that I am in a position to do all the work which I was doing prior to the accident and hence I am not entitled for any compensation. It is false to suggest

that despite the fact that the negligence was entirely on my part. I have got lodged a false FIS and on the basis of created documents I have filed this false petition and deposed false facts in support of the same.

14. It is false to suggest that I have filed a false petitioner evidence titon on the basis of created and concocted documents and have deposed false facts in support of the same as such the respondent No.2 company is not liable to pay any compensation to me if any awarded by this tribunal.

RE - EXAMINATION : NIL

(Typed to my dictation in the open court)

R.O.I. & A.C.

sd/-

Prl.Judge ,
Court of SC., & MACT., Mysuru