

Witness called and duly sworn on: 03.06.2025

CROSS EXAMINATION BY: SRI. MVG LEARNED COUNSEL FOR RESPONDENT NO.2:

1. Upon being suggested that the date of birth of the deceased mentioned in the Aadhaar card is proper and correct, witness states that the said Sri. Adithya was born in the year 2005. It is true to suggest that even in the SSLC marks card the year of birth of deceased is shown as 2006. It is false to suggest that at the time of accident the deceased Sri. Adithya was a minor as he had not completed the age of 18 years. It is false to suggest that the deceased Sri. Adithya did not have any source of income of his own.

2. It is false to suggest that neither me nor the other petitioners were dependent on the income of the deceased. It is false to suggest that the deceased was a minor and he did not know to ride a motorcycle as such the accident occurred due to his own negligence and yet a false case was lodged against the rider of the motorcycle insured with respondent No.2 company just to claim compensation.

3. It is false to suggest that I have deposed false facts and have no knowledge about the facts and circumstance surrounding the present case. The informant is not an eye witness to the accident. It is true to suggest that the FIS was lodged after delay of one day. The informant got the information regarding the accident over the phone. I am not aware if the said fact is not mentioned in the FIS.

4. The accident occurred between two motorcycles. The deceased was wearing helmet at the time of accident. It is false to suggest that had it

been true, the IO would have seized the helmet from the spot, witness states that the helmet had broken into pieces. Immediately after the accident, the deceased had been admitted to K.R. Nagara Government hospital. I do not know the registration number and name of the owner of the motorcycle on which the deceased was proceeding at the time of accident. Since the vehicle belonged to some other person, no documents pertaining to the said vehicle is produced before this court.

5. It is false to suggest that the said Sri. Adithya @ Yogesh did not possess a DL at the time of accident. I do not know the registration number of the offending motorcycle. I do not know the name of the person who has been chargesheeted by the I.O. I do not know if even the rider of the offending motorcycle did not possess a DL at the time of accident.

6. It is false to suggest that none of the persons cited in the charge sheet as witnesses have witnessed the accident. It is false to suggest that since the vehicle on which the deceased was traveling was uninsured at the time of accident, the motorcycle bearing No.KA-45-EC-9449 was falsely implicated so as to maintain this claim petition. It is false to suggest that since the rider of the motorcycle, owner of the motorcycle and I are the residents of the same village, a false case is foisted just to claim compensation.

7. It is false to suggest that despite the fact that no other vehicle was involved in the accident, 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.

RE - EXAMINATION : NIL

(Typed to my dictation in the open court)

R.O.I. & A.C.

Sd/-

Prl.Judge ,

Court of SC., & MACT., Mysuru