

Witness called and duly sworn on: 02.04.2026

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

1. At the time of accident I was proceeding on the Splendor motorcycle. The accident occurred on 03.09.2023 at around 9.30 AM. I was riding the motorcycle at the time of accident. At the time of accident I was accompanied by one Sri. Ravi as a pillion rider. It is false to suggest that as per the FIR 3 persons were traveling on the motorcycle at the time of accident including me and the said Sri. Ravi.

2. The FIS was lodged on the date of accident itself. It was lodged by my brother Sri. Srinivasa. It is true to suggest that as per the records got exhibited by me the FIS was lodged on the day after the accident. It is false to suggest that at the time of accident neither me nor the pillion rider were wearing head gears. It is false to suggest that the very fact that no helmets were seized from the spot goes to the show that none of us were wearing head gears at the time of accident.

3. I possessed a valid and subsisting D.L., at the time of accident which authorized me to ride a motorcycle. I have no impediment to produce my D.L., and copy of the insurance policy pertaining to my vehicle before this court. I am not aware if notice was served under Order 12 Rule 8 of CPC directing me to produce the aforesaid documents but I did not comply the same. It is false to suggest that my vehicle was uninsured and I did not possess a D.L., at the time of accident.

4. It is true to suggest that as per Ex.P3 one Sri. Ravi A.B. is arrayed as accused No.1 and it is shown that the said Sri. Ravi A.B. was driving the car at the time of accident. As per my knowledge one Sri. Shivaraju was driving the car at the time of accident. It is false to suggest that no where in the FIS, it is mentioned that the said Sri. Shivaraju was driving the car at the time of accident. I am not aware if the said Sri. Ravi A.B. is none other than the son of the said Sri. Shivaraju. Though I have intimated the I.O. that Sri. Shivaraju was driving the car at the time of accident but I have not sought rectification of the charge sheet wherein Sri. Ravi A.B. is shown as the driver of the car.

5. Immediately after the accident I was admitted to K.R. Hospital, Mysuru. Except at K.R. Hospital I have not obtained treatment at any other Hospital for the injuries sustained by me in the accident.

6. I do not have any document to substantiate my contention regarding my avocation and income prior to the accident. It is false to suggest that I have falsely asserted that I was earning Rs.25,000/- per month by doing Meson work prior to the accident. It is false to suggest that I have falsely asserted that I have incurred more than Rs.2,00,000/- towards my medical expenses. It is false to suggest that I have not incurred medical expenses to the extent forthcoming from the medical bills, yet the bills have been procured to suit my claim for higher compensation.

7. It is false to suggest that I had sustained 3 simple injuries in the accident. Witness states that I had sustained fracture of my right

thigh bone. I have not obtained treatment at Jayadeva Hospital for the injuries sustained in the accident. My family has procured BPL card. It is false to suggest that since I am a BPL card holder I have obtained treatment free of cost at K.R. Hospital.

8. 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 even now I am doing the very same work which I was doing prior to the accident and I am earning more income than what I was earning prior to the accident and yet I have deposed false facts before this court.

9. 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 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.

10. It is false to suggest that inspite of being aware that the accident occurred due to negligence on my part, I have lodged a false FIS and on the basis of created document I have filed this false petition and deposed false facts in support of the same. It is false to suggest that as

the accident occurred due to my negligence, I am not entitled for compensation as sought for by me.

11. It is false to suggest that since I was riding the motorcycle without a D.L., and since even the actual driver of the car did not possess a D.L., at the time of accident, the Respondent No.2 company is not liable to pay any compensation to me if any awarded by this tribunal.

CROSS EXAMINATION BY: SRI. BS LEARNED COUNSEL FOR RESPONDENT NO.1:

12. It is false to suggest that I have fully recovered from the injuries and I have no difficulty in performing my day to day activities. Doctor has not issued any certificate in that regard. It is false to suggest that the accident occurred due to my negligence in riding the motorcycle from the wrong side as such I am not entitled for any compensation. Though it is true to suggest that the driver of the car got me admitted to the Hospital but it is false to suggest that out of humanity he did so despite the fact that the negligence was entirely on my part.

13. It is true to suggest that the Respondent No.1 has paid a sum of Rs.50,000/- to me towards my medical expenses out of humanity. It is false to suggest that though the accident occurred due to my negligence as I did not possess a D.L., at the time of accident and yet with a sole intention of filing this claim petition and to make unlawful gain, I got filed a false FIS.

Learned counsel for the respondent No.1 submits that the respondent No.1 adopts cross examination done by learned counsel for respondent No.2 on all material aspects other than liability.

RE - EXAMINATION : NIL

(Typed to my dictation in the open court)

R.O.I. & A.C.

Sd/-

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