

Witness called and duly sworn on: 22.04.2026

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

1. I have studied upto SSLC. I am not an eye witness to the accident. I was informed about the accident by PW.2. After getting information about the accident I went to the spot. By the time I reached the spot my husband had already been shifted to Hospital. The accident involved motorcycle and a Tipper lorry and the vehicles involved in the accident were at the spot when I reached there. My husband was proceeding on the motorcycle at the time of accident.

2. The offending Tipper lorry did not have any load in it when I saw it after reaching the spot. The FIS was prepared as per my narration. I was informed about the facts so narrated by my friends. The friends who gave me the necessary information at the time of lodging FIS are not arrayed as witnesses in the charge sheet. It is false to suggest that I have no knowledge about the actual events that transpired at the time of accident and yet I have lodged a false FIS just to maintain this claim petition.

3. The deceased had studied upto II year PUC. I have no impediment to produce the SSLC marks card of my deceased husband before this court. The petitioner No.2 and 3 are my children and they are aged 14 years and 12 years respectively.

4. The deceased was into the business of Ice-cream distribution and was also running newspaper agency and was earning around Rs.45,000/- per month from both the avocations. The income was getting credited to the account of my husband directly. I have not produced statement of account pertaining to my husband's bank account to show his income. It is false to suggest that had it been true that my husband was earning Rs.45,000/- per month I would have produced the bank statement extract and the very fact that I have not produced the same goes to the show that my husband had no source of income of his own and yet I have asserted false facts just to claim higher compensation.

5. I have not produced documents in support of my assertions regarding the expenses incurred by me with respect of transportation and post death rituals. My husband was hale and healthy prior to the accident and had no ailments. The deceased was not under any medication for any disease. It is false to suggest that the deceased was addicted to the vice of alcohol. It is false to suggest that as per the FSL report the deceased was under the influence of alcohol at the time of accident. It is false to suggest that as per the said report the percentage of alcohol in the blood of the deceased was 43.68 MG per 100 ML of blood. It is false to suggest that it is for this very reason I have withheld the production of FSL report from this tribunal apprehending that the contents of the same might go against my case.

6. The driver of the Tipper lorry bearing No.KA-09-B-6490 is not arrayed as a party in this petition. I had no impediment to implead the driver as a party to this petition. It is false to suggest that inspite of being aware that the deceased demised due to self fall as he was riding the motorcycle at a high speed and in a rash / negligent manner under influence of alcohol, I have set up a false case just to claim compensation. It is false to suggest that the Tipper lorry bearing No.KA-09-B-6490 did not cause any accident instead the de the influence of alcohol, I have set up a false case just to claim compensation. It is false to suggest that the Tipper lorry bearing No.KA-09-B-6490 did not cause any accident instead the deceased demised due to his own negligence and yet I have got lodged a false FIS and I have deposed false facts in support of the same.

7. It is false to suggest that since the Tipper lorry bearing No.KA-09-B-6490 was not at all involved in the accident and there was no negligence on the part of the driver of the Tipper lorry, the Respondent No.1 is not liable to pay any compensation to me or other petitioners. It is false to suggest that I have lodged a false FIS and ensured that the Tipper lorry driver is charge sheeted though there was no negligence on his part and have deposed false facts on the basis of created and concocted documents.

RE - EXAMINATION : NIL

(Typed to my dictation in the open court)

R.O.I. & A.C.

Sd/-

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