

IN THE COURT OF THE 3rd A.D.J., AT HOSAPETE

S.C. No. 5048/2017

P.W. 09 C.W. 06

Name : Ramesh Kumar Sharma
Father's Name : Chandrabhan Sharma
Age : 54 years
Occupation : Transport Business
Residence : Nelamangala Bengaluru.

Duly Sworn on : 24-08-2022.

Examination-in-chief by: learned P.P.

I am residing in Bengaluru since 12 years. I am having Transport Office at Madanayakanahalli, Bengaluru. I am the G.P.A. holder of the owner of the Lorry bearing Reg.No.H.R.55/L-6879. The said Lorry belongs to one Mr.Gyanchand, resident of Delhi. He has given Power of Attorney in my favour. I have taken the interim custody of the said Lorry from the Court. I can identify the Lorry in the Photographs. On identification 02 Positive Photographs are marked as Ex.P-6 and Ex.P-7.

About 04 to 05 years back, 260 bags of Arecanut were loaded in the said Lorry. The said Lorry was to go from Chitradurga to Delhi. The said Lorry was having 02 Drivers viz-Ramesh Chand/C.W-1 and Ravindra Singh/C.W-2. About 40 Kms away from Chitradurga, the said Lorry was Hijacked by 10 to 12 persons. At that time, one of Driver of the said vehicle i.e., Ramesh/C.W-1 ran away from the Spot, but the said persons who had Hijacked the Lorry had abducted the another driver by name

Ravindra Singh/C.W-2. On coming to know about the said event, the same intimated to the owner, on the basis of G.P.R.S., the said Lorry was traced on Harihara Shivamogga road, near Kumbaluru village, within the Police limits of Malebennur Police Station. The same was intimated to Malebennur Police Station, wherein they have taken the custody of said Lorry. Thereafter, I have got interim custody of the said Lorry. I do not know as to who are the persons, who had Hijacked the said Lorry.

I do not know the persons standing in the Accused Court yard, in the Open Court.

I have not given any Statement to the Police.

**(The learned PP prays to treat this witness partly hostile. Perused the entire file and the examination-in-chief of this witness. Hence permitted)
Cross Examination by learned PP**

It is false to suggest that, I have given the Statement with the Police about theft of the Lorry. It is false to suggest that, I have given the Statement before Police on 04.06.2017 contending that, "ನಾನು ಲ್ಯಾರಿ ಹಾಜರ ಪಡಿಸುತ್ತೇನೆ". For identification, the said Statement is marked as Ex.P-8.

Cross-examination by Sri.K.Y., Adv for Accused Nos.2 to 7:-

It is false to suggest that, I have not been intimated by the owner of the Lorry that, the said Lorry has been Hijacked. Out of 260 bags of Arecanut, 20 bags of Arecanut from the Lorry were unloaded at Davanagere. I do not remember whether I have given any Statement

before the Police about unloading of 20 bags of Arecanut at Davanagere. I do not know as to who has unloaded 20 bags of Arecanut at Davanagere. So also, I do not know as to with whom the said 20 bags of Arecanut were unloaded at Davanagere.

It is false to suggest that, in order to claim damages and insurance, myself and the owner of the Lorry by name Gyanchand have got created a false case with the Aid of the Police Authorities.

Re-examination - **Nil** -.

(Typed to my dictation in the open Court)

R O I & A C

Sd/-

(ABDUL-RAHIMAN .A. NANDGADI)
III Additional District & Sessions Judge,
Ballari (sitting at Hosapete)