

M.A.C.P. No.14/2024
Sunita & Ors. Vs. Wasim & Ors.
EXH.37

Deposition of Witness No.1 for the respondent No.1

I do hereby on solemn affirmation State

I had produced verified copy of my driving license below list **Exh.36** and request the Court to mark the same in evidence. Learned Advocate for the claimant has no objection to admit the copy of license in evidence. Hence, the copy of license filed below list Exh.36 is admitted in evidence and is marked in evidence at **Exh.39**.

Cross examination for respondent No.3 by Mr. S.N.Gurav, Advocate

2) At the time of incident I along with Husain Pathan were going from Kumtha to Hadolti. It is true to suggest that, at the time of incident I was driving the motor-cycle slowly. It is true to suggest that, there was a curve on the road near the spot of incident and the vehicle coming from opposite direction was in a high speed. It is true to suggest that, in all three people were riding over the motor-cycle coming from opposite direction. It is true to suggest that, since the motor-cycle coming from opposite direction was in high speed and driver was unable to control it, it slipped over the road and all the three people fell down. It is true to suggest that, the motor-cycle driver suffered injury due to his own fault. I got my learners license converted into permanent license after the incident. Today, I had brought the permanent license with me in the Court. It is true to suggest that, the incident occurred due to the mistake of the motorcyclist coming from opposite direction. It is true to suggest that, the claimants of the deceased implicated me in false case by joining hands with police. It is not true to suggest that, at the time of incident Husain Pathan was not holding a permanent driver's license.

Cross examination for claimants by Mr. D.B.Mohate, Advocate

3) Since the lodging of report against me by police, I had not challenged the said F.I.R. and had not applied for quashing it till date. Till today I had not filed any complaint against the officer of police station Ahmedpur to the Superior Officers alleging that, a false report has been lodged against me only to get insurance amount from my Insurer. It is true to suggest that, at the relevant time of the incident I was driving the Bajaj Pulsar motor-cycle from Kumtha to Hadolti via Jagalpur. It is not true to suggest that, the Bajaj Pulsar motor-cycle driven by me at the time of incident and more power and engine with capacity. It is true to suggest that, my learner's license Exh.39 was obtained by me 15 days before the incident. It is not true to suggest that, since I was a driver learning to driver motor-cycle, hence, I had a pillion rider who experience in driving motor-cycle. It is true to suggest that, there is a curve on the road. It is not true to suggest that, I was driving the motor-cycle in the middle of road despite there being a "C" type curve on the spot of incident. It is not true to suggest that, as I was driving a motor-cycle of more power and as I was a new driver without experience I lost control of the motor-cycle and dashed against the motor-cycle driven by the Giridhar Dhepale. It is not true to suggest that, due to the dash given to the motor-cycle coming from opposite direction I along with pillion rider fell on one side of the road and the riders riding the motor-cycle driven by the Giridhar Dhepale fell on other side of the road. It is not true to suggest that, due to the dash given by me by my motor-cycle Giridhar Dhepale fell on person of deceased who in turn fell on a stone resulting into him suffering injury to his head. It is not true to suggest that, after the incident I along with my father and Vikas Bukke took injured Giridhar Dhepale and Chandrakant Bhawal to Nijwante Hospital, Hadolti for check-up and treatment. It is not true to suggest that, after giving primary treatment Dr. Nijwante referred the injured to hospital at Latur and thereafter I went away to my home.

4) During investigation police did not record my statement. It is not

true to suggest that, during investigation of the F.I.R. registered against me, my statement was recoded by police which was signed by me in the said statement I ha stated the police that, deceased Chandrakant Bhawal had suffered severe injuries whereas I and my father suffered minor injuries. It is not true to suggest that, my statement during investigation was recorded on 21st September 2023. It is not true to suggest that, at the time of incident instead of my brother Husain Pathan my father Salim Shaikh was riding with me on the Bajaj Pulsar motor-cycle as a pillion rider. It is not true to suggest that, I am deposing false that, in all three people were riding the motor-cycle coming from opposite direction. It is not true to suggest that, I am deposing false that, the motor-cycle riders coming from opposite direction at the time of incident were under influence of liquor. It is not true to suggest that, since I was having only learners license and was not a experienced driver, hence, I am deposing false that, my brother was accompanying me as a pillion rider and that three people were riding the motor-cycle coming from opposite direction. It is not true to suggest that, the incident occurred due to my rash and negligent driving of the Bajaj Pulsar motor-cycle resulting into death of Chandrakant Bhawal. It is not true to suggest that, to avoid the compensation amount to be given to the claimants on account of death of Chandrakant Bhawal I filed false affidavit of evidence and deposing false before the Court today.

Cross examination is over.

No re-examination.

R.O.& A.C./Before me

Sd/-

(P.K.Nardele)

Member, Motor Accident Claim
Tribunal, Ahmedpur

Date : 23.06.2026