

..6.. C.P.NO.218/2020  
Exhibit : 23

**DEPOSITION OF WITNESS NO. 1 FOR THE PETITIONER**

I do hereby state on solemn affirmation that-

**Further examination in chief by P. S. Mirache, Advocate for petitioners**

6. The affidavit now shown to me bears my signature. Contents therein are correct. It is marked as **Exh.23**. I have filed on record Form comp AA, FIR, crime detail form, driving license, registration certificate and insurance police. They are respectively marked as **Exh.24 to 29**.

**Cross-examination by Adv. Shri. Aditya Joshi for respondent No.1.**

7. On that day I am proceeded from Shitala Mata Mandir to Wardhaman Nagar through Activa. Suddenly cow came in front of my vehicle therefore, I have slow down my vehicle by applying the break. I am unable to state that if suddenly cow should not came in front of my vehicle then offending Activa would not gave dash to my vehicle. The spot road is not high way it is normal road and open for traffic for all vehicle. Average speed of vehicle on spot road is 30 k.m. per hour. I do not know the speed of offending Activa. Witness voluntarily state that it was in high speed. It is false to say that I was not possessed valid driving license and also not wear protective helmet. It is false to say that due to my sole negligence said accident was occurred. I have not surrendered my driving license before the RTO office but I am ready to surrender it, as early as possible. It is false to say that still I am doing a job and deposing falsely in respect of I have left my job. I have not submitted any document to show that I have left my job. It is false to say that I have submitted false monthly income of Rs. 20,000/- per month. Now I am doing work of interior from 1 and ½ years. I left job of Shree Sai Agency after 1 and ½ month of accident. I am able to do

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my daily routine work. It is false to say that injuries are already healed and now I am not suffering any pain. It is false to say that I have not submitted any document to show that operation was conducted and I have incurred Rs.3,00,000/- for my medical expenses. It is false to say that I have lodged FIR after delay of 9 days.

**Cross-examination by Adv. Mayur Gangwal for respondent No. 2 is absent when called, hence, no cross.**

*Cross over:*

*Re-examination Nil*

R.O.A.C.

Date : 24.01.2024

(Sajid A. Syed)  
Member  
MACT No.3, Nagpur