

Witness present and duly sworn in on: 13.06.2023.

Chief examination by Smt. TS Advocate for Petitioner.

I have filed my affidavit in lieu of my examination-in-chief and the contents of the said affidavit are true and correct and it bears my signature.

Today I have produced the following documents in support of the case:

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| Ex.P.1 | True copy of FIR |
| Ex.P.2 | True copy of Complaint |
| Ex.P.3 | True copy of Spot Mahazar |
| Ex.P.4 | True copy of sketch |
| Ex.P.5 | True copy of IMV report |
| Ex.P.6 | True copy of Wound Certificate |
| Ex.P.7 | True copy of Section 133 Notice |
| Ex.P.8 | True copy of reply to section 133 notice |
| Ex.P.9 | True copy of Police Intimation |
| Ex.P.10 | True copy of Charge sheet |
| Ex.P.11 | Discharge summary |
| Ex.P.12 | Notarized copy of DL |
| Ex.P.13 | Notarized copy of RC of Scooter bearing Reg No.KA-03-KH-1511 |
| Ex.P.14 | Vehicle repair for a sum of Rs.38,460/-(1 in no) |
| Ex.P.15 | Medical bills for a sum of Rs.39,451/-(16 in no's) |
| Ex.P.16 | Prescriptions (7 in no.s) |

NOTE: Ex.P.12 and 13 is marked by comparing with original and same is returned to petitioner.

Cross examination by Shri. NN Advocate for Respondent.

I have produced my Adhaar card for my address proof and age proof. I have not produced school records. It is false to suggest that, as I am aged more than 22 years so I have produced adhaar card but not school records. Accident took place 15.11.2022. I was going alone on bike bearing No. KA 03 KH 1511. I am the owner of the bike, I have produced the RC. I have produced my DL. The road width was 10 feet. The traffic was normal. It is false to suggest that, as per Sketch said road was 40 feet in width so I was not going on said road on that day. It is false to suggest that, there was a divider on the road. I was going 40 Km speed. No vehicle was going in my front side but back side some vehicles were coming. It is false to suggest that, I was going in high speed as no vehicle was going in my front.

2. Offending vehicle hit me front side. It is false to suggest that, as per police records offending vehicle while over taking my bike caused the accident. Witness voluntarily says that, when offending bike while over taking another vehicle hit me and caused the accident. I can not say the vehicle number which hit my bike it was Tamil Nadu passing in blue colour. I

was unconscious so I was not knowing the bike number. I was in the hospital in one month. It is false to suggest that, I am deposing falsely that, I was in the hospital for one month. Said bike was seized by the police I can not say the number. It is false to suggest that, I have not sustained any head injury. It is false to suggest that, I was not wearing the helmet.

3. I sustained leg and head injury. I was shifted to Surakash hospital . The person who caused the accident he shifted me to hospital. The Surekash hospital at the distance of 3 kilometer from the spot. My brother Praveen lodged the complaint. Police came to hospital. It is false to suggest that, accident is not caused by insured vehicle. It is false to suggest that, I did not have any fractures as mentioned para no.4 and I had not undergone any surgery.

4. It is false to suggest that, I am deposing falsely that,I spent Rs.2,00,000 toward treatment and Rs.40,000/- for my bike repair. It is false to suggest that, I am not having any difficulty as mentioned in para no.5. It is false to suggest that, I am deposing falsely that, I was earning Rs.25,000/- as a mechanic. I have not produced any document to show my income. It is false to suggest that, I was not doing any work and I was a student. It is false to suggest that, I got registered false case against the offending vehicle in collusion with police. My vehicle in 2021 modal. I had not claimed OD. I have

not produced any document for not claiming OD. I have produced document to show that I spent Rs.40,000/- for repair. It is false to suggest that, as per IMA report only simple damaged is caused to my vehicle. It is false to suggest that, Our insurance company is not liable pay any compensation as it is not covered in under the policy. I had not seen the policy of offending vehicle. It is false to suggest that, insurance company issued policy for own damages and not 3rd party so, insurance company not liable to pay compensation.

RE-examination: NIL.

(Evidence deposed by the witness is computerized to my dictation in the open court).

R O I & A C

XV ASCJ, Bengaluru.