

FORM 54
[See Rule 150(a) and (2)]
Accident Information Report

1. Name of the police station: Kalimpong PS

2. CR No. / Traffic Accident report: Kalimpong P.S Case No- 315/22 dt. 28.12.2022 u/s 279/304A IPC

3. Date, time and place of the accident: On 28.12.2022 at 07:10 hrs at Upper Pudung, Near Suman Giri's Residence, PS Kalimpong, District: Kalimpong

4. Name and full address of the injured /deceased:

Deceased : Pavitra Tamang (52 yrs) w/o Lt.Jaybahaur Magar of Khadaley-1, Near Bird Nursery School, Kalimpong.

5. Name of the hospital to which he was removed: Kalimpong District hospital, Kalimpong

6. Registration Number of vehicle and the type of the vehicle: WB73F1547

7. Driving Licence particulars:

(a) Name and address of the driver: Adarsh Pradhan(yrs) S/O Subash Pradhan of 5th Mile, Upper Tashiding Khasmal, PS & Dist.- Kalimpong

(b) Driving licence number and date of expiry: D/L No.WB78 1989 0003082 WB. Date of Expiry: 18.08.2026

(c) Address of the issuing authority: MVI Kalimpong

(d) Badge No in case of public service vehicle: N/A

8. Name and address of the owner of the vehicle at the time of the accident: Subash Pradhan of 5th Mile, Upper Tashiding Khasmal, PS & Dist.- Kalimpong

9. Name and address of the Insurance Company with whom the vehicle was insured and the particulars of the Divisional Officer of the said insurance company: Royal Sundaram General Insurance Co. limited office add: Shree Radha Apartment, Shop No. 4, 3rd Floor, Iskon Mandir, K7-Siliguri Branch, Siliguri-734001.

10. Number of Insurance Policy/Insurance Certificate and the date of validity of the Insurance Policy/Insurance Certificate: Policy No. 2315 2048 6723 7900 000. Valid up to: 30.08.2023.

11. Registration particulars of the vehicle (class of vehicles): Registration No- WB73F1547 (GOODS CARRIER)

Engine No: E414CDKF291136

Chassis No. MC2C1CRCC0KF445473

12. Route Permit Particulars: WB/73/GP/MGP/2019/78

13. Action taken, if any, and the result thereof: Started Kalimpong PS Case No.315/22 dt. 28.12.2022 u/s 279/304A IPC.

GOVERNMENT OF WEST BENGAL

State Transport Department Siliguri ARTO

FORM 23

CERTIFICATE OF REGISTRATION



Registration No : WB73F1547
 Description of Vehicle : GOODS CARRIER
 Dealer's Name & Address : ALLIED AUTOMOTIVE INDUSTRIES, NA, SILIGURI, . . .
 Owner Name : SUBASH PRADHAN
 Full Address: (Permanent) : 5TH MILE, UPPER TASHIDING, KHASHMAHAL, , KALIMPONG, WEST BENGAL-734301
 Full Address: (Temporary) : C/O ALLIED MOTORS LTD, SEVOKE ROAD, SILIGURI, DARJILING -WEST BENGAL-734301

Fitness UpTo : 26-Aug-2021
 Owner Serial No : 1
 Tax UpTo : 04-Aug-2020

Detailed Description

Class of Vehicle : GOODS CARRIER
 Ownership : INDIVIDUAL
 Maker's Name : VE COMMERCIAL VEHICLES LTD

Front HSRP No : BA1800209901
 Type of Body : HALF DALA TRUCK
 No of Cylinders : 4

Engine No : L41-CDK-29-136
 Horse Power(BHP) : 113.90
 Maker's Classification : EICHER PRO 1050XP C FS

Seating Cap(in all) : D/DSD
 Sleepar Cap : 3
 Colour : PORT BLUE

Other Criteria :
 AC Fitted : NO

Standing Cap : 0
 Unladen Wt (kgs) : 3270
 Laden/GV Wt (kgs) : 8750

Service Type : Select Service Type
 Vehicle Purchase As : Fully Built

Additional Particulars of all transport vehicles other than motor cabs (Gross Vehicle Weight)

By Manuf.	Description	As Regd.	Weight(in kgs)
a) Front:	8.25X16=2		3160
b) Rear:	8.25X16=4		5590
c) Other:			0
d) Tandem:			0

The motor vehicle above described is subject to Hypothecation in favour of HDB FINANCIAL SERVICES LTD, SILIGURI, . . , Darjiling , West Bengal-734001 w.e.f. 05-Aug-2019.

Purchase dt : 05-Aug-2019
 OTT Date : 05-Aug-2019
 TaxUpTo : 04-Aug-2020
 Tax Exempted or Not : NOT EXEMPTED

Other State/Transfer/Conversion Details

Previous Owner :
 Old State :
 Transfer Date :
 Previous RegNo :
 Entry Date :
 Conversion Date :

This certificate is valid from 03-Sep-2019 to 02-Sep-2034

Date : 07-Nov-2019 13:05:25

Taxation Particulars / Advance Registration Mark Fee Details

Signature of Registering Authority
 Date : 07-Nov-2019
 Siliguri M.V. Deptt.



[FRESH PERMIT]

Date of Approval : 06-Sep-2019

TRANSPORT DEPARTMENT, WEST BENGAL

FORM X

[See rule 125 of WBMV Rules 1989]

PERMIT IN RESPECT OF GOODS PERMIT

PART-B



1. Permit No
2. Name Of The Permit Holder
3. Father's/Husband's Name
4. Address

WB/73/GP/MGP/2019/78

SUBASH PRADHAN

PREM LAL PRADHAN

C/O ALLIED MOTORS LTD SEVOKE ROAD SILIGURI, West Bengal
Darjiling-734301

WB73F1547

5. Registration Mark of the Vehicle

6. The route or routes of the area for which the permit is valid:

Region Covered :

ALL WEST BENGAL

7. Validity of the Permit :

8. Conditions of Permit

From: 05-Sep-2019

To: 04-Sep-2024

Attached

Date 06-Sep-2019

Secretary,

State/Regional Transport Authority, SILIGURI ARTO
West Bengal

Regional Transport Authority
Siliguri





GOVERNMENT OF WEST BENGAL

State Transport Department

SILIGURI ARTO

FORM 38

[See Rule 62(1)]

CERTIFICATE OF FITNESS

(Applicable in the case of transport vehicles only)



Vehicle No: WB73F1547(Goods Carrier) is certified as complying with the provisions of the Motor vehicles Act, 1988 and the rules made there under.

Registration No : WB73F1547
Application No : WB19082732289831
Inspection Fee Receipt No : WB210824C5380765
Receipt Date : 24-Aug-2021
Chassis No : MC2C1CRC0KF445473
Engine No : E414CDKF291136
Seating Capacity : 3 (Including Driver)
Type of Body : HALF DALA TRUCK
Manufacturing Year : 2019
Category of Vehicle : MG
Inspected on : 24-Aug-2021
Printed on : 31-Aug-2021 12:00:16

*Safe Drive Save Life
No Rough Drive*

Certificate will expire on : 26-Aug-2023

Next Inspection Due Date : 28-Jun-2023

Inspected by (PAPAI MALLICK M.V.
T)

Signature of Inspecting Authority
SILIGURI ARTO

Motor Vehicle Inspector (Tech)
Siliguri



HDFC ERGO General Insurance Company Limited

Certificate of Insurance cum Policy Schedule

POS - Motor Insurance - Goods Carrying Comprehensive Policy



Take it easy!



2315204867237900000

MR SUBHASH PRADHAN 118 5TH MILE LOWER TASHIDING KALIMPONG KHAMSAHAL DARJILING DARJILING WEST BENGAL 734301 Tel : 8597459910	Vehicle Details		Policy Details	
	Registration No.	WB-73-F-1547	Policy No.	2315 2048 6723 7900 000
	RTO	SILIGURI	Period of Insurance	From 31 Aug, 2022 13:15 hrs To 30 Aug, 2023 Midnight
	Maximum License carrying capacity	2	Issuance Date	31/08/2022
	GVW	8750	Invoice No.	204867237900000
	Body Type	OPEN	Customer Id	100623039367
	Mfg Year	2019	EIA No.	Not provided
	Private/Public Carrier	PUBLIC		
	Payment Details : Fund Transfer			
	Email ID : cvsales.siliguri@hdbfs.com			

Make	Model - Variant	Engine No	Chassis No
EICHER MOTORS	TRUCKS - PRO 1080XP DSD GVW 8750	E414CDKF291136	MC2C1CR0KF445473

Insured's Declared Value (IDV) (₹)						
Vehicle Chassis	Vehicle Body	Electrical Accessories	Non Electrical Accessories	CNG/LPG Kit	Trailer	Total IDV
880,000	0	0	0	0	0	880,000

Trailer Chassis No	
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Premium Details (₹)			
Own Damage Premium(a)		Liability Premium(b)	
Basic Own Damage	9113	Basic Third Party Liability	27186
Total Basic Premium	9113	PA Cover for Owner Driver of 1500000	325
Add : Cover for Lamps, Tyres, Mudguards, Bumpers (IMT-23)	1367	LL to Paid Driver/Conductor/Cleaner (IMT-28)	100
Add : Geographical Area Extension (IMT-1)	400	Third Party Liability for Geo-extension	100
Total - Add	1767	Net Liability Premium (b)	27711
Less: Others	6561	Total Package Premium (a+b)	32030
Total - Less	6561	GST 18% : Central Tax 9% (₹ 436) + State Tax 9% (₹ 436) on Other Premium	872
		GST 12% : Central Tax 6% (₹ 1631) + State Tax 6% (₹ 1631) on Basic Third Party Liability	3262
		Premium	
		Total Tax	4134
Net Own Damage Premium (a)	4319	Total Premium	36164

Geographical Area	India, Bangladesh-Bhutan-Nepal	Compulsory Deductible (IMT-21)	1,000
Nominee for Owner driver	GITA PRADHAN, Spouse	Appointee	
Hypothecated(IMT-7) with:HDB FINANCIAL SERVICES LTD,Gangtok			

LIMITATIONS AS TO USE: The Policy covers use of the vehicle only under a permit within the meaning of the Motor Vehicle Act 1988 or such a carriage falling under Sub-Section (3) of Section 66 of the Motor Vehicle's Act 1988. The Policy does not cover use of the vehicle for a) Organized racing b) Speed Testing. **Persons or Class of Persons entitled to drive:** Any person including the insured, provided that a person driving holds an effective driving license at the time of the accident and is not disqualified from holding or obtaining such a license. Provided also that the person holding an effective learner's license may also drive the vehicle when not used for the transport of goods at the time of the accident and that such a person satisfies the requirements of Rule 3 of the Central Motor Vehicles Rules, 1989. **Limits of Liability** 1. Under Section II-1 (i) of the policy - Death of or bodily injury - Such amount as is necessary to meet the requirements of the Motor Vehicles Act, 1988. 2. Under Section II - 1(ii) of the policy - Damage to Third Party Property - ₹ 750000.3. P. A. Cover under Section III for Owner - Driver (CS): ₹ 1500000 **Terms, Conditions and Exclusions:** As per the Indian Motor Tariff. A personal copy of the same is available free of cost on request & the same is also available at our website. A personal copy of the same is available free of cost on request & the same is also available at our website.

Insured is carrying on or engaged in the business or occupation of and no other for the purposes of this insurance

I / We hereby certify that the policy to which the certificate relates as well as the certificate of insurance are issued in accordance with the provision of chapter X, XI of M. V. Act 1988. * The stamp duty of ₹ 0.50 paid by Demand Draft, vide Receipt/Challan no. NO.LOA/CSD/477/2022/4252 dated 29/09/2022 as prescribed in Government of Maharashtra Order No. Mudrank-2017/CR.97/M-1, dated the 09th January 2018. **IMPORTANT NOTICE:** The Insured is not indemnified if the vehicle is used or driven otherwise than in accordance with this Schedule. Any payment made by the Company by reason of wider terms appearing in the Certificate in order to comply with the Motor Vehicle Act, 1988 is recoverable from the Insured. See the clause headed 'AVOIDANCE OF CERTAIN TERMS AND RIGHT OF RECOVERY'. **Disclaimer:** The Policy shall be void from inception if the premium cheque is not realized. In the event of misrepresentation, fraud or non-disclosure of material fact, the Company reserves the right to cancel the Policy. Please note that the insured vehicle was pre-inspected and a report was prepared accordingly. The existing damages to the vehicle as mentioned in the report shall not be paid by the Company. The policy is issued basis the information provided by you, which is available with the company. In case of discrepancy or non recording of relevant information in the policy, the insured is requested to bring the same to the notice of the company within 15 days. GST for this invoice is not payable under reverse charge basis. I/ We hereby declare that though our aggregate turnover in any preceding financial year from 2017-18 onwards is more than the aggregate turnover notified under sub-rule (4) of rule 48, we are not required to prepare an invoice in terms of the provisions of the said sub-rule

Goods & Services Tax Registration No: 19AABCL5045N125	
Branch :1st floor, sona complex, 3rd mile sevoke road, siliguri siliguri	SAC Code :997134

For Claim/Policy related queries call us at +91- 22 6234 6234/+91- 120 6234 6234 or Visit Help Section on www.hdfcergo.com for policy copy/tax certificate/make changes/register & track claim.



Form 59

[See rules 115 (2)]

Certificate

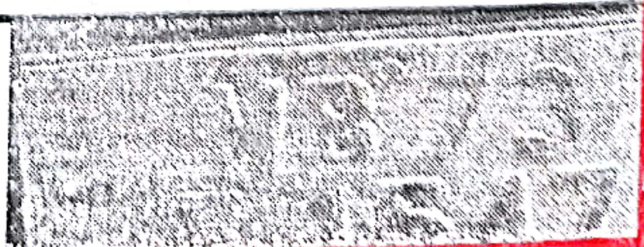
21/09/2022

11:36:13 AM

20/09/2023

: WB0730103000-1756
: WB73F1547
: 03/Sep/2019
: June-2019
: *****9562
: BHARAT STAGE IV
: DIESEL
: WB0730103
: Rs.100.00
: (GST to be paid extra as applica
: No

istration plate



TAX RECEIPT

Transport Department, Government of West Bengal
Registration Authority SILIGURI ARTO, West Bengal



Transaction / Receipt No. :	WB220206V0366064 / WB220206C4702855	Vehicle Class:	Goods Carrier
Received From:	SUBASH PRADHAN	Payment Date:	06-Feb-2022
Transaction Date:	06-Feb-2022 11:15 AM	Vehicle No:	WB73F1547
Chassis No:	MC2C1CRC0KF4XXXXX	Bank Reference Number:	4946970982522
GRN No:	0732202064765671	Service Type:	Goods Service
Transaction ID	0732202064765671		

Particular	Period	Amount(In Rs)	Rebate+Exemption	Penalty(In Rs)	Surcharge(In Rs)	Amount1	Amount2	Total(In Rs)
Service/User Charge		20.0	0.0	0	0.0	0.0	0.0	20
Transaction Fee		20.0	0.0	0	0.0	0.0	0.0	20
MV Tax	05-Feb-2022 to 04-Feb-2023	2300.0	0.0	0	0.0	0.0	0.0	2300
Additional MV Tax	05-Feb-2022 to 04-Feb-2023	1152.0	0.0	0	0.0	0.0	0.0	1152
TW Welfare Cess	05-Feb-2022 to 04-Feb-2023	348.0	0.0	0	0.0	0.0	0.0	348
Total						0.0	0.0	3840

GRAND TOTAL (In Rs):3840/- (THREE THOUSAND EIGHT HUNDRED AND FORTY ONLY)



CHARGE SHEET/FINAL REPORT

(Under section 173 Cr.P.C.)

IN THE COURT OF LD. CHIEF JUDICIAL MAGISTRATE, KALIMPONG

1. Dist: Kalimpong PS: Year 2022 FIR No- Date: 28.12.2022

Kalimpong 315/2022

PS

2. Charge Sheet. No. 72/2023

Date: 17.05.2023

4. (i) Act.....IPC

Sections: 279/304A IPC

(ii) Act...U/S 180/181/182 MV Act

5. Type of Final Report: Charge Sheet/ Untraced/ Not Charge- Sheeted for want of evidence: Charge Sheet.

6. If F.R. unoccured : False/ Mistake of fact/ Mistake of law/ Non-cognizable/ Civil nature.....

7. If Supplementary or Original: Original

8. Name, Rank and Number (if any) of the I.O. (S): SI Abhijeet Subba

9. (a) Name of Complainant/ Informant: **Manmaya Tamang**(b) Father's /Husband's Name: **Late Kalusingh Tamang**10. Date on which the complainant / informant was informed of the result: **On 17.05.2023**

11. Details of Properties/ Articles/ Documents recovered/ Seized during investigation and relied upon (separate list can be attached, if necessary)

Sl No	Property Description	Estimated value (inRs.)	P.S. Property Register No.	From whom/ where Recovered or Seized	Disposal
1.	2.	3.	4.	5.	6.
1.	One vehicle bearing registration no- WB 73F 1547	-	P/R No-78/22	In damaged condition	Released to Subash Pradhan as per the order of Ld. Court
2.	i) One Original R/C in the name of Subash Pradhan of vehicle no.- WB73F1547, ii) One Goods Permit Certificate bearing permit no. WB73/GP/MGP/2019/78, iii) One Original Insurance Certificate of vehicle bearing policy no.- 2315204867237900000, iv) One Certificate of Fitness bearing application no. WB1908082732289831,	-	P/R No-78/22	On being produced by Abhishek Pradhan S/O Subash Pradhan of 5 th Mile, PS Kalimpong Dist- Kalimpong	Released to Subash Pradhan as per the order of Ld. Court

v) One Pollution Certificate valid till 20.09.2023 in respect of vehicle no.- WB73F 1547.				
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11 A. Number of accused persons charge- sheeted- 01(One)

11 B. Number of accused persons not charge- sheeted- Nil

12. Particulars of accused persons charge- sheeted:

i) Aadarsh Pradhan (19yrs/M) S/O- Subash Pradhan of 5th Mile, PS & Dist. Kalimpong

(i) Name:-

(ii) Father's Name:- Subash Pradhan

(iii) Date / Year of Birth:-

(iv) Sex-

(v) Nationality- Indian

(v) Religion- Hindu

(vii) Whether SC/ST

(viii) Occupation:-

(ix) Address- -

(x) Provisional Criminal No

(xi) Regular Criminal No

(xii) Date of Arrest :-03.01.2023

(xiii) Date on Release on bail

(xiv) Date of which forwarded to Court:-03.01.2023

(xv) Under Acts and Sections

(xvi) Name(s) and Address(es) of sureties

(xvii) Previous convictions with case references

(xviii) status of the accused: Forwarded / Bailed by Police / Under Police custody/ Bailed by Court / In judicial Custody / Proclaimed Offender.

13. Particulars of accused persons not charge- sheeted (suspected):

(i) Name:-

(ii) Father's / Husband's Name - iii) Date / Year of Birth

(iv) Sex Female

(v) Nationality- Indian

(v) Religion- Hindu

(vii) Whether SC/ST

(viii) Occupation

(ix) Address

(x) Provisional Criminal No

(xi) Suspicion Approved

Yes/ No

(xii) Status of the accused: Forwarded / Bailed by Police / Under Police custody/ Bailed by Court / In Judicial Custody/ Absconding Offender.

(xiii) Under Acts and Sections.

(xiv) Any special remarks including reasons for not Charge- sheeting: ~~There is no such evidences found against the non chargesheeted persons.~~

I collected Mechanical Expert Report from Shri BholaNath Baruri, Mechanical Expert, C/O- Anil Trading Company, Sevoke road, Siliguri of the offending vehicle bearing registration no.- 73F 1547 and after examination of the offending vehicle. Shri Bhola NathBaruri, Mechanical Expert, opined that the "cause of accident of the above-mentioned vehicle appears to be other than mechanical failure. During investigation of the case, I examined the surathal witnesses along with U/D escort C/193 Rupesh Bhujel of Kalimpong PS. During investigation of the case, I tried all my possible efforts to seize the D/L of accused driver namely Aadarsh Pradhan but he couldn't produce the same. Later it came to learnt that he was driving the vehicle bearing no WB73 F 1547 without licence during commission of the crime. Therefore, I prosecuted u/s 181 & 182 MV Act against the accused driver namely Aadarsh Pradhan S/O Subash Pradhan of 5th Mile, PS & Dist. Kalimpong and 180 MV Act against the owner of the vehicle namely Subash Pradhans/o Lt. P.L Pradhan of 5th Mile, PS & Dist. Kalimpong for permitting unlicensed person to drive the vehicle bearing registration no.- 73F 1547.

I received PM report along with all connected papers over the death of Pavitra Tamang w/o Lt. Jaybahadur Mangar of Upper Pudung, P.O Echhey, 13th Mile, PS & Dist. Kalimpong who expired in c/w this case. As per the order of the Ld. CJM, I released the seized offending vehicle bearing number WB 73 F 1547 with its seized documents to its registered owner after proper Zimmanama on condition to produce the same before Ld. Court or police on call. failing of which she will prosecuted under proper section of law. I sent a prayer to the Superintendent of District Hospital, Kalimpong for supply of injury report of the accused driver namely Aadarsh Pradhan(19yrs) and received the injury report from District Hospital, Kalimpong who was admitted due to injury caused by road accident at Upper Pudung, Near Suman Giri's Residence.

After completion of the investigation the prima facie charge U/S 279/ 304A IPC r/w section 181/182 of MV Act has well established against the accused person namely Aadarsh Pradhan (19 yrs/M) S/O Subash Pradhan of 5th Mile, PS & Dist. Kalimpong. All the witnesses of this case will prove the case during trial of the case and the result of the case has duly being informed to complainant of this case accordingly.

Hence I am submitting the Charge Sheet in this case after consulted with my superior vide Kalimpong PS Charge Sheet No- /2023, Dated- 17.05.2023, U/S- 279/304A IPC r/w section 181/182 MV Act against the above noted accused person and 180 MV Act against the owner of the vehicle namely Subash Pradhan s/o Lt. P.L Pradhan of 5th Mile, PS & Dist. Kalimpong for permitting unlicensed person to drive the vehicle bearing registration no.- 73F 1547.

The summon may kindly be issue against the all accused persons to compel them appear before the Ld. Court during trial of the case.

18. Dispatched no.....

Forwarded
Sa Ch
17.5.2023

Forwarded by Inspector in charge
Name - SANJAY GHOSH
Rank-INSPECTOR OF POLICE
Date- 17.05.2023

Abhis
17/05/2023

Signature of the investigation Officer
Submitted the final report/ charge sheet
Name - ABHIJEET SUBBA
Rank- SI OF POLICE
Date- 17.05.2023

14. Particulars of witnesses to be examined:

SL NO	NAME AND ADDRESS OF WITNESSES	TYPE OF WITNESSES
1.	Manmaya Tamang w/o Kalusingh Tamang of Upper Pudung, P.O Echhey, 13 th Mile, PS & Dist. Kalimpong	Complainant
2.	Suman Giri (17yrs) s/o Durga Prasad Giri of Upper Pudung, PS & Dist. Kalimpong	Witness
3.	Milan Giri (38yrs) s/o Durga Prasad Giri of Upper Pudung, PS & Dist. Kalimpong	Witness
4.	Alekh Subba (37yrs) s/o D.D Subba of Sindebong, PS & Dist. Kalimpong	Witness
5.	Nitesh Giri s/o Late Kamal Giri of MLA Gaon, 12 ½ th Mile, PS & Dist. Kalimpong	Surathal Witness
6.	Bijay Jogi s/o Hem Kumar Jogi of MLA Gaon, 12 ½ th Mile, PS & Dist, Kalimpong	Surathal Witness
7.	Sri Bholanath Baruri, Mechanical Expert, Automobile Engineer, Sevoke Road, Siliguri	(Mechanical Expert)
8.	Dr. P. Bhusan Rai of Kalimpong District Hospital	(Autopsy surgeon)
9.	SI Mangal Singh Lo of Kalimpong PS	(U/D Officer)
10	C/193 Rupesh Bhujel of Kalimpong PS	(U/D Constable)
11.	SI Ongchuk Lepcha of Kalimpong PS	R.O
12.	SI Abhijeet Subba of Kalimpong PS	I.O

15. If F.R is false, indicate action taken or proposed to be taken U/S 182/ 211 IPC.

16. Result of Laboratory analysis:

2. **Condition of Brakes (Please attach Photographs) -**

a. Are the brakes OK?

Yes ☐ No ☒

b. Are they worn out?

Yes ☐ No ☒

c. Whether the brakes show wear and tear due to sudden application of the brakes at the time of accident?

Yes ☐ No ☒

d. Are there signs of brake failure which could have lead to the accident?

Yes ☐ No ☒

3. **Condition of Tyres (Please attach Photographs) -**

a. Do the tyres conform to the standards stipulated in MV act 1988?

Yes ☒ No ☐

b. Are the tyres worn out or resoled?

Yes ☐ No ☒

c. Do the tyres reveal any mark of skidding due to sudden deceleration by observing the wear and tear and the groove pattern?

Yes ☐ No ☒

d. Can the condition of the tyres be held responsible for the extra distance covered even after braking?

Yes ☐ No ☒

e. Were the tyres found punctured? If yes specify whether before or after the accident collision.

Yes ☐ No ☒

There is no any puncture found at the time of examination .

4. **Condition of Gears -**

a. Whether the gear lever, gear pinion, gear handle and clutch were in flexible state at the time of accident?

Yes ☒ No ☐

b. Whether these parts are in sufficiently lubricated condition?

Yes ☒ No ☐

5. **Condition of Steering -**

a. Whether steering is adequately mobile?

Yes ☐ No ☒

b. Whether the tie rod is in perfect working condition

Yes ☐ No ☒

6. **Condition of Lights-**

a. Whether the Head Light / Fog Light / Indicator of the vehicle are in working condition?

Yes ☐ No ☒

b. If not, is the same due to accident or were faulty even before the accident?

Lights are not working properly due to accident .

7. **Condition of battery :-**

What is the Condition of battery?

Battery is not working properly .

8. **Condition of Rear View Mirrors -**

- a. Are the Rear view mirrors present inside the vehicle, and both on the left and right side of the vehicle?

Yes ☐ No ☒

9. **Rear-end conspicuity in cases of rear-end collision (CMVR, 1989, RULE NO. 104)**

Nil .

10. **Condition of Speed Governors:-**

- a. Whether speed governor have been installed?
b. Are they to operational condion?
c. Have they been tampered with?

Yes ☒ No ☐

Yes ☒ No ☐

Yes ☐ No ☒

11. **Condition of the Wipers-**

- a. Were the Wiper operational prior to accident as can be ascertained from the present condition?

Yes ☒ No ☐

12. **Whether EDR (Even Data Recorder) present or not?**

Yes ☐ No ☒

13. **Whether the joining points of the Axles of the vehicle with the wheels are in proper condition or not?**

Yes ☒ No ☐

14. **Overloading -**

Was the vehicle overload? if yes, further remarks.

Nil .


15. **Any other specific observations to highlight the condition or possible cause of the accident -**

From the Technical point of view the cause of accident of the above mentioned vehicle appears to be other than mechanical failure .

Date and time of Examination of the vehicle

On 30-12-2022 at about 1.30.P.M.

Signature of the Mechanical Expert


30.12.2022

Bhola Nath Baruri
Automobile Engineer
Mechanical Expert

Date. 30-12-2022.

MECHANICAL EXAMINATION REPORT

Ref. : KPG, P.S, D/R, No, 8668 /2022. Dated. 28-12-2022.

PS : Kalimpong.

Case No. / M.A Case No. : 315 /2022. Dated. 28-12-2022. U/S, 279 /304.A.IPC.

Name and designation of the Motor Vehicle

Inspector/Expert : Bholanath Baruri / Automobile Engineer / Mechanical Expert .

Venue and Date of Examination : On NH road near 29th mile on 30-12-2022 .

1. Details of the Vehicle, (Attach close view and long view photo)

- a. Make VE COMMERCIAL VEHICLE LTD .
- b. Type EICHER PRO OPEN TRUCK .
- c. Model 2019 .
- d. Registration Number WB 73 F 1547 .
- e. Chassis Number MC2C1CRCOKF 445473 .
- f. Engine Number E 414CDKF 291136 .
- g. Colour BLUE .
- h. Distinguishing Features (Basically please write if the vehicle can be identified without the registration number like some specific Name / Painting on the Body / Windscreen etc)
Nil .

1. General Description from outside - Eye View -

- a. Point of contact between the vehicles and signs of exchange of paint-
Nil .

b. Description of damage caused (specify)-

Front show, bumper, mudguard, both side door, driver's cabin, rear body, front both side road spring is badly damage and both side head light, front both side indicator light, front windshield glass, both side door glass, both side sideview mirror is broken .

c. Any other point of interest-

Nil .

SEIZURE LIST.

(3)

Ref:- Kalimpong P.S Case No- 315/22 dt:- 28-12-2022 u/s 279/304A. Date:- 30/12/22

1. Date & Time of seizure:- 30/12/2022 at 10:30 hrs.

2. Place of seizure:- Upper Puding, P.S & Dist. Kalimpong

3. From whom seized:- Abhishek Pradhan S/o Subash Pradhan of 5th Mile P.S & Dist. Kalimpong

4. Description of seized articles:- 1) Certificate of Registration in the name of Subash Pradhan of Vehicle Regn No- WB-73F 1547.
2) Motor Insurance bearing Policy No- 2315 2048 6723 79080000.
3) Permit in respect of Goods Permit bearing Permit No- WB/72/67/MGP
4) Certificate of Fitness bearing Application No- 2019/78.
WB 19082732289891.

5) Pollution Certificate valid till 20/09/2023.

6) One Blue Coloured Eicher Pro bearing No- WB 73F 1547 in the name of Subash Pradhan; chassis No- M02C1CRCOKF445473 Engine No- E414CDKF291136 with keys

5. Particulars of seizure witnesses:-

(1) Dipak Subba.

S/o Lt. Ashahadur Subba.

M.L.A Gaon, Sindabong.

(2) Durga Prasad Giori

S/o Lt. Phan Bahadur Giori

Upper Puding, P.S & Dist. Kalimpong.

6. Signature of witnesses:-

(1) Dipak Subba.

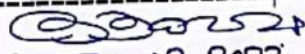
(2) Durga Prasad Giori

Prepared by me,
Abhishek

SI Abhishek Subba,
Kalimpong P.S.,
30/12/2022.



Bholanath Baruri
Automobile Engineer Mechanical Expert



30.12.2022.

Bhola Nath Baruri
Automobile Engineer
Mechanical Expert

POST-MORTEM REPORT

STATION: *Dhule*
day of *29/12* 20*23*

17/12/23 (RR.B. Form No. - 55 Vide Rule 204)

Name, Sex, Age and Caste	Whence brought Village and Thana.	Name of constable by whom brought and names of relatives accompanying	Date and hour of			Information furnished by Police	By whom identified before the Medical Officer.
<i>Patish Tany</i> <i>88/11</i>	<i>M.A. Gaur</i> <i>1 1/2 mile Kalimpong</i>	<i>C/193</i> <i>Rupsh. Nigal</i>	<i>29/12</i> <i>11:00 AM</i>	<i>29/12</i> <i>11:00 AM</i>	<i>29/12</i> <i>12:05 PM</i>	<i>As per report</i>	<i>C/193</i> <i>Rupsh. Nigal</i>

N.B. Observe the state of all the organs and when no disease or injury is found write "Healthy"

I-EXTERNAL APPEARANCE	1. Condition of subject stout, emaciated decomposed, etc.	2. Wounds - position, size character.	3. Bruises - position, size and nature.	4. Marks of ligature on neck, dissection etc.
	<i>Medium built.</i> <i>q Normal</i>	<i>1) Bleeding per ear nose -</i> <i>2) 1st rib fracture - 3rd 4th 5th & 6th ribs in the lung</i> <i>3) 1st (L) femur lower 1/2</i> <i>4) 1st wrist joint (L) both bones</i> <i>5) Deep lacerated injury of sc. plate & bloody</i>	<i>External & internal</i>	<i>—</i>

II- CRANIUM AND SPINAL CANAL	1. Scalp - Skull and vertebrae.	2. Membrane.	3. Brain and spinal Cord - [The spinal canal need not be examined unless any indication of disease or injury exists.]
	<i>Congested</i>	<i>Congested</i>	<i>Dissected / subdural Hge. # base of the skull.</i>

III- THORX	1. Walls, ribs and Cartilages.	2. Pleura	3. Larynx and Trachea.	Right lung	Left lung	Pericardium	Heart.	Vessels.
	<i>fracture (R)</i> <i>ribs 2/4th 5th</i>	<i>Trace little</i> <i>pleura</i>	<i>Congested</i>	<i>Trace</i> <i>bloody</i> <i>lob</i>	<i>—</i>	<i>—</i>	<i>—</i>	<i>—</i>

IV- ABDOMEN	1. Was us	2. Peritoneum	3. Mouth, Pharynx and Esophagus	4. Stomach and its contents	5. Small intestine and its contents	6. Large intestine and its contents
	<i>Deep lacerated injury of sc. plate</i> <i>& bloody</i>	<i>Trace of</i> <i>Alb.</i>	<i>fluid &</i> <i>fatty cap</i>	<i>little fluid &</i> <i>gas</i>	<i>Half digested</i> <i>food & gas</i>	<i>fecal matter</i>
	7. Liver	8. Spleen	9. Kidneys.	10. Bladder.	11. Organs of generation external and internal	
<i>Congested</i>	<i>Congested</i>	<i>normal</i>	<i>Half filled & normal</i>	<i>normal</i>		

MUSCLES BONES AND JOINTS	1. Injury	2. Disease or deformity	3. Fracture	4. Dislocation
	<i>1) fracture base of the skull</i> <i>(2) Deep lacerated injury</i>	<i>External & subdural Hge</i> <i>of skull of the skull & brain</i> <i>(H)</i>	<i>1) 1st 2nd 3rd 4th 5th</i> <i>2) 1st 6th 7th (H) wrist joint</i>	<i>1) 1st 4th femur lower 1/2</i>

It is a case of Road Traffic Accident (RTA) when one truck (12043 F 1517) loaded with a drum of acid led to the fracture of the skull & subdural & subarachnoid Hge; the ribs 2nd, 4th & 5th; the 1st femur lower 1/2 & the wrist joint (L) both bones - deep lacerated injury of sc. plate (L) leading to instant death of the victim.

OPINION OF THE MEDICAL OFFICER AS TO THE CAUSE OF DEATH	REMARKS BY CIVIL SURGEON
<i>N.B. : In the case of wounds note whether there is any indication of the wounds being homicidal suicidal or otherwise</i> <i>Supintendent</i> <i>Assistant Surgeon of District Hospital</i> <i>Kalimpong</i>	<i>4 cm. (RTA) leading to death owing to fracture skull</i> <i>2nd, 4th & 5th; 1st femur & 1st wrist joint leading to fracture</i> <i>of both bones.</i> <i>Civil Surgeon of</i> <i>20</i> <i>29/12/23</i>

(*Post Mortem*)
District Hospital
Kalimpong