



MVA S. 166- Evidence - Report of accident after 1 month - FIR did not contain details of offending car - First time disclosed in Affidavit - Company Liable

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[motor vehicles act](#), 1988, Section 166 - [evidence](#) - Rule of evidence to prove charges in a [criminal trial](#) cannot be used while deciding an application under Section 166 of the Motor Vehicles Act, 1988 which is summary in nature - Report after one month of the [accident](#) - [fir](#) did not contain number of offending vehicle - Claimant disclosed car number in her examination-in-chief - The [owner](#) and the [insurance](#) Company had the opportunity to cross-examine the witness - She deposed that she was mentally disturbed and hospitalized, therefore, she filed the complaint late - There is no reason to doubt the veracity of the statement of claimant who suffered injuries in the accident - The application under the Act has to be decided on the basis of evidence led before it and not on the basis of evidence which should have been or could have been led in a criminal trial - Order of High Court set aside - Claim allowed.

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[\(2022-3\)207 PLR 392 \(SC\) , 2022 SCeJ 1007, PLRonline 413573](#)

Tags: [MCA S. 166 - FIR](#), [MVA S. 166 - Evidence Summary](#), [MVA S. 166 - FIR delay in lodging](#)