

IN THE COURT OF [DESIGNATION OF THE PRESIDING OFFICER], [PLACE]

[CASE TYPE] No. ____ of 20__

State of [STATE / U.T.]... State

Versus

[NAME OF ACCUSED]... Accused

Next date of hearing: [DATE]

**APPLICATION UNDER SECTION [497 / 503] OF THE BHARATIYA NAGARIK
SURAKSHA SANHITA, 2023 [SECTION 451 / 457 CrPC] FOR RELEASE OF
[VEHICLE No. __ / CASE PROPERTY] ON SUPERDARI**

Respectfully sheweth:

1. That the [VEHICLE No. __, make __, model __, chassis No. __, engine No. __ / ARTICLE] was taken into possession by the police on [DATE] in [FIR No. __ dated __, under Sections __ of the Bharatiya Nyaya Sanhita, 2023 (or the corresponding IPC sections for offences before 01.07.2024), Police Station __, District __].
2. That the applicant is the [registered owner / lawful owner] of the said [vehicle / property], as per [REGISTRATION CERTIFICATE / INVOICE] (Annexure A-1).
3. That the [vehicle / property] is lying at [POLICE STATION] in the open and is deteriorating, and keeping it there serves no useful purpose. It is not required for further investigation [or: the investigation is complete].
4. That the applicant undertakes to produce the [vehicle / property] before the investigating agency or this Court whenever required, not to sell, transfer or alter its identity, and to furnish a superdari bond with surety in such amount as this Court directs.
5. That seizure occurred on [date], under [memo], and custody is [police / court / other]. The property is identified by [registration, chassis, engine, serial number, quantity and photographs].
6. That the applicant's right to interim possession is established by [registration, invoice, financing or ownership record]; competing claimants and financier/insurer interests are disclosed as [].
7. That preservation by continued custody causes [documented deterioration or hardship]. Identification and evidentiary needs can be protected by [inventory, photographs/video, valuation and record] before release.
8. That the applicant undertakes to produce the property as ordered, preserve identifying features, and comply with [bond, security and non-transfer conditions]. Any confiscation proceeding, special-law restriction or rival application is [details].
9. That the applicable procedural power is [Section 497 BNSS / Section 503 BNSS / saved Section 451 or 457 CrPC], selected according to production before Court and the seizure posture; any statutory timetable and special-law regime are addressed.

10. That [OPTIONAL: retain only after verifying the cited rule and these facts] deterioration or hardship is evidenced by [records], ownership/possession claim by [documents], and identity can be preserved by [inventory and photographs]. Applying Sunderbhai Ambalal Desai, interim custody on [bond and security] is sought, subject to [special-law and rival-claim position].

PRAYER

It is, therefore, respectfully prayed that the [vehicle / property] described above may kindly be released to the applicant on superdari, on such terms and conditions as this Hon'ble Court deems fit.

Place: [PLACE] Date: [DATE]

APPLICANT / OWNER Through [NAME OF ADVOCATE] Advocate Enrolment No. [__]

Note: Photographs and a panchnama of the property are usually prepared before release. Annex the RC, insurance and identity proof.

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AFFIDAVIT

Affidavit of [NAME OF DEPONENT], [S/o / D/o / W/o] [NAME], aged about [__] years,
resident of [FULL ADDRESS WITH PIN CODE].

I, the above-named deponent, do hereby solemnly affirm and declare as under:

1. That the deponent is competent to swear this affidavit and the accompanying [suit / petition / application] has been drafted by counsel on the deponent's instructions. Its contents have been read over and explained in [LANGUAGE], understood by the deponent, and are incorporated as part and parcel of this affidavit; the factual statements are true to the deponent's knowledge or identified records, and legal submissions are based on advice believed to be true.
2. That [no same or similar suit / petition / application on the same cause of action has been filed / the following prior or pending proceedings, outcomes and orders are fully disclosed: ____]. Nothing material has been concealed.

DEPONENT

VERIFICATION

Verified at [PLACE] on [DATE] that paragraphs 1 and 2 above are true and correct to my knowledge and identified records, with legal submissions based on advice believed true. Nothing material has been concealed.

DEPONENT

Note: To be sworn before an Oath Commissioner / Notary Public and stamped as required by the applicable rules.

PREPARATION AND JUDGMENT APPLICATION

Updated 11 October 2026. Complete every material fact, retain only supported alternatives, and renumber before filing. These notes support professional adaptation; they do not supply missing evidence or guarantee relief.

Filing and relief checks. Obtain seizure and ownership records, investigate confiscation restrictions and request an appropriate inventory and bond. Interim release does not determine ultimate title.

Fact-specific authority. *Sunderbhai Ambalal Desai v. State of Gujarat*, (2002) 10 SCC 283; main judgment dated 1 October 2002, vehicle-custody discussion. Show deterioration and provide identification safeguards and security. Prompt interim custody is supported; the decision does not override a special confiscation bar or establish the applicant's title. Read the judgment

Source: <https://indiankanoon.org/doc/1737714/>

Before relying on any authority, compare the material facts, procedural stage, statutory version and precise relief; check subsequent treatment and applicable local practice. Keep the authority note separate from the signed pleading. For criminal procedure, determine Section 531 BNSS savings rather than select the code solely from the alleged offence date.