

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

CRM-M-62182-2018
Date of decision: 05.04.2019

Sunny Sharma @ Sunny Kumar Kapil

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Namit Khurana, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

None for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.457 dated 24.11.2018 registered under Sections 465, 379 IPC and 66-D of the Information Technology Act, at Police Station Farakpur, District Yamuna Nagar.

The operative part of the order dated 18.01.2019, vide which the petitioner has been granted interim bail, is reproduced below:

“Counsel for the petitioner has submitted that, in fact, the present FIR is an outcome of the matrimonial discord between the petitioner and his wife, who is daughter of the complainant. It is further submitted that the wife of the petitioner namely Sunaina is about 07 months' pregnant, at this stage and the petitioner is ready to take her back and reconcile the matrimonial life. As per the allegations in the FIR, the petitioner has allegedly hacked the mobile phone of the complainant, who is mother-in-law of the petitioner and has installed some hacking software and thereafter,

misused the same, however, counsel for the complainant is not averse to the fact that the daughter of the complainant is ready to explore the possibility of some reconciliation proceedings.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 18.01.2019, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from Inspector Mahabir Singh, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 18.01.2019, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

05.04.2019

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No