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**CRR 1352 of 2020
IA No. CRAN 1 of 2020
(Via Video Conference)**

**Sisir Ghosh & Ors.
-vs-
State of West Bengal & Anr.**

Ms. Pampa Dey Dhabal.
...For the Petitioners.

Mr. Swapan Banerjee,
Ms. Purnima Ghosh.
For the State.

This is an application under Section 401 and 482 of the Code of Criminal Procedure whereby and whereunder the petitioners have challenged the order dated 28.08.2020 passed by the learned Executive Magistrate 2nd Court, Alipore, South 24 Parganas in case No. 3041/2020 under section 144(2) of the Code of Criminal Procedure.

It is submitted by Ms. Pampa Dey Dhabal, learned advocate for the petitioners that the private parties have compromised into the matter and the petitioners are not willing to proceed with the case and want to not press the application.

I have heard the learned advocate for the petitioners and the learned advocate for the State who has invited my attention to the order impugned dated 28.08.2020 passed

by the 2nd Executive Magistrate, Alipore, South 24-Parganas directing to see that no breach of peace takes place without going through the section 145(2) of the Code of Criminal Procedure.

The said order is endorsed on the first leaf of the petition under section 144 (2) Cr.P.C. passed in case No. 3041 of 2020 by the 2nd Executive Magistrate, Alipore. An Executive Magistrate is undoubtedly a quasi judicial body. It is expected on his part that he should assign reasons while issuing such an order which is endorsed in the first leaf of the application itself without maintaining any order-sheet of the proceeding.

Let a copy of this order together with a copy of this application be sent to the District Magistrate, 24 Parganas at Alipore to see it that no such order is endorsed on the petition under section 144 Cr.P.C. passed in future.

In the premises above, the impugned order is hereby set aside.

Accordingly, the revisional application being CRR 1352 of 2020 and the connected application being CRAN 1 of 2020 are disposed of.

(Shivakant Prasad, J.)