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Prasanna S,

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No. 08, Arul Nagar, Seera Thoppu,

Maudhanda Kurichi, Srirangam,

Tiruchirappalli – 620102

Phone : +91 94896 71437 - info@iledu.in / Chairman@iledu.in



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APPLICATION OF NARCO ANALYSIS IN CRIMINAL JUSTICE SYSTEM IN INDIA: AN ANALYTICAL PERSPECTIVE

Authors: Sharmista Sigdel, Ph.D Scholar, Sikkim University

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Abstract

The development of science and technology has made it necessary for investigators to rely on numerous scientific deception methods. The goal of which is to identify and associate criminals with the crime. One such field that has become increasingly important in recent years in criminal investigations is forensic science. Although remarkably, the discipline of forensic science incorporates several distinctive aspects of the period in which it has been used, there is also a little more to it than first appears. The application of narcoanalysis in the criminal justice system is a modern breakthrough in this scientific field that has significant implications for the criminal justice system in India. Hence, a detailed analysis of the nature of these new forensic science techniques shall be undertaken. Narco analysis, which applies science to criminal legislation during the criminal inquiry, is incomprehensible. There is a likelihood of injustice occurring because the validity and reliability of narco analysis are sustained in light of the issues in which it was administered and this needs to be verified as the efficacy of the test is yet to be recognized. Individual liberty is a major issue in the current criminal justice system, as crimes have become commonplace and criminals are taking advantage of the defects of the legal system. The modus operandi involved in narco analysis remains using drugs as psychoactive measures used to extract information from the

subjects who are incapable of shelling out. However, it has been claimed that the judicial system adopted a unified approach to the use of this procedure and provided a notion of conditional use, making it clear that neither the process nor its application in every criminal case could be overlooked. This paper provides a brief analytical approach to the application of the narco analysis in criminology.

Keywords: Constitution, Criminal Justice, Deception, Evidence, Investigation, Narco analysis, Scientific techniques

1. Introduction

Narco-analysis tests have developed as a useful tool in criminal investigations. A Narco Analysis test is performed on a subject who is hypnotized as a result of an intravenous drug. A criminal investigation is a field of applied science that centers on both the detection of criminals and the assessment of facts. Criminal research can indeed be organized and supported by scientific procedures in criminal justice. Because the results of such techniques are subjected to adequate review, employing modern scientific methodologies eliminates the human-centered approach to prejudice in investigating. It remains a source of concern. Alternatively, it can be utilized to generate clues by investigative agencies. This involves the question of whether medical and regulatory considerations are involved. The legality of the test has also been called into question in light of constitutional protections. Despite the extensive use of scientific criminal detection techniques, the legislation surrounding them remains unsolved. Based on judicial interpretations, the test poses a grave threat to the criminal justice system. The possibility for narco-analysis tests to corroborate the veracity of the suspect's statement is more than a threat to their dignity and privacy. At about this stage, it is unlikely since any remark made during the trial is not admissible in a court of law. Furthermore, probe authorities want narco-analysis tests on the subject because the quality of work during the preliminary phase of

the inquiry is very weak in our country. This is a problem that will be investigated as part of the research.

1.2 Literature Review

The primary objective of this literature review is to identify and discuss these topics about existing scholastic work on the subject. The researchers have investigated previous work on the linked topic that is closely related to existing research.

Anoop M (2016), According to the author of the book "*Scientific Techniques in Crime Investigation*," a narco-analysis test is being employed to understand the behavior of the alleged criminals. The author emphasizes that the majority of convicted criminals face challenges that lead to their problems. The author emphasizes in his epilogue that this technique should not be employed in all sorts of criminal cases, regardless of whether the inquiry is pointless.

Ramachandran R (2019), in the book titled "*Law on Narco Analysis*," the author points out that the use of narco analysis raises some privacy issues. The author mentions that narco analysis creates serious privacy issues since this test falls under the purview of Article 21 of the Indian Constitution. The test has an adverse reaction since the substance depresses the nervous system and decreases blood pressure, which may lead to a reduction of control of brain functioning. As a result, the exam adversely impinges on the suspect's thought process.

Arun Kumar and (2021), in his article titled "*Deception Detection Test: A Subdued Investigating Tool*," noted that the scientific validity of this test is constantly questioned, hence, results aren't accurate in the process of investigation. The authors highlight the various concerns with the validity of the test as a scientific aid as well as its admissibility in a court of law. Studies show that the accused undergoing the test retains the ability to dissemble while under the influence of the drug.

M. Arun and P.P Jagadish, in the article titled "*The Present Legal Perspective of Narcoanalysis: Wind of Change in India*", the authors attempt to demonstrate how human rights have been overlooked over the employment of scientific procedures and machine expertise in the inquiry process. These rights include the freedom from torture, the right to remain silent, and the freedom from being implicated. The primary challenge is finding a balance between these rights and the application of scientific evaluations in the criminal justice system.

Ramachandran R (2018), in his book titled "*Scientific Technique in Criminal Investigation*", accentuates the main issues about the narco Analysis test violating fundamental human rights. The adversarial legal system of law requires investigators to pursue evidence, and place a weight on the notion of innocence without compromising human values. Narco-analysis tests are conducted on hypnotic states and are therefore not legally recognized in India and they cannot be used in court proceedings. Only after considering the circumstances surrounding the test. Even if the tests might be vital, getting the requisite legal approval for some of them can be challenging, and safeguards should be taken to prevent misuse.

Alder A (2001), in his book titled "*A Social History of Untruth: Lie Detection and Trust in Twentieth Century America*" According to the author, the diagnostic efficacy of the narco analysis test has been questioned, raising doubt on its applicability for detection purposes. Attempts to encourage the use of deception detection tools in the judicial process and subsequent incorporation into the societal structure. The author examines how this strategy is used in investigating and exposing alleged lies and hidden facts associated with the trial.

A.K Kala (2010), in his article titled "*Of Ethically Compromising Positions and Blatant Lies about Truth Serum*", the author alleges that despite advances in forensic science, its applicability confronts considerable scientific challenges.

Even though there is little forensic support for its use. The result of narco-analysis tests is based on the irrational assumption linked with the individual's mind and body. The study holds negative perceptions about the test.

Lokaneeta J (2020), in her book titled "*The truth machine, policing, violence and scientific interrogation in India*" analyses the nexus between state action and police violence. The legitimacy of scientific detection techniques has been questioned globally, primarily in the USA where the test was first developed. There have been multiple well-publicized incidents where suspects who underwent narcoanalysis tests were severely tortured during the narco-analysis process to bring attention. The system is confronted with many issues, including fair trials and hearings which can only be encountered by utilizing such technologies, which are limited.

1.3 Research objectives

- To understand the procedures and implications of the narco analysis in the criminal justice system in India
- To get a holistic understanding of the admissibility and limitations of Narco Analysis.

1.4 Research questions

- What are the procedures and implications of narco-analysis in the criminal justice system in India?
- How the usage of the narco analysis technique is limited in the criminal justice system in India?

1.5 Research Methodology

The research is based on qualitative information that examines the theoretical variables based on research objectives. The approach used in this paper is doctrinal and analytical. The primary data includes the legislation, statutes, rules, and case laws. The secondary data includes textbooks, journals, periodicals, articles, reports, law digests, and the data available on websites. The combined readings of judicial approaches have been

reflected through the judicial pronouncements by the Courts in India. The current study has been designed using existing information and knowledge.

1.6 Hypothesis

The application of Narco Analysis in the criminal justice system in India poses various concerns, including infringement of human rights.

1.7 The outcome of the Study

The study intends to shed new insight into the implications of the narco-analysis test, and other significant elements linked with the test. The study also focuses on a comprehensive understanding of the admissibility and reliability of the test with the help of case laws. The outcome of the study evaluates how the Indian criminal justice system seeks to comply with the law by acquiring substantive truth through evidence and considering the usage of the narco analysis test towards the growth of contemporary crimes.

2. Narco analysis: Emerging Scientific Deception Technique

It is quite innovative to apply modern techniques to analyze and appraise criminal cases. Since the reliability of such evidence cannot be established in a court of law, it cannot be acted upon. Also, with the rise of scientific testimony in recent times, judicial uneasiness with processing scientific proof has intensified. Recently, narcoanalysis as a scientific technique has started to gain acceptance as a significant test to locate the suspect of a crime. Forensic science utilized in criminal detection now has much more potential yet, it is debated over the validity of scientific evidence. With the hope of uncovering facts and insights, detectives are using the procedure as an easy way to get details from the crime perpetrators. The actual cause of turning to this method is ineffectiveness and

a lack of expertise in conducting investigations and acquiring evidence.¹³⁸⁷

The application of new approaches and the usage of novel methodologies claimed to be able to identify dishonesty long before their validity and dependability. From the earliest years of the adoption of psychophysiological techniques, there is no proper methodology for interrogation.¹³⁸⁸ Despite systematic and justified constraints, the use of a narco-analysis test most often gives a sufficient basis to predict the results that will provide insights for investigations. Can narco-analysis be accepted in practically any situation? The Courts have reiterated in a plethora of cases that narco analysis is not permissible in every situation.¹³⁸⁹

Scientific jurisprudence is critical in evaluating the truth of the incident at the crime scene. The determination of whether the person accused of an offense can understand the court trials is an emergent matter of science and the law. To ensure a fair trial, the Indian legal system considers the capabilities of the criminal suspects to face the criminal trial. Forensic professionals employ unique neuroscience approaches to assess crime scenes during a narco-analysis exam. Narco-analysis tests and other scientific experiments involving anesthetic medicines must be balanced against social and individual determinants in the broader interest.¹³⁹⁰

3. Advancement of Narco analysis test in India

The word "Narco Analysis" was contrived in 1936 by J.S Horseley as a sedative to evoke trance states where the individual is subdued and interrogated. The meaning of 'Narco' is a derivative of the Greek term 'Narke' which means anesthesia. Narco analysis test is also referred to as Truth Serum Testing. The truth drug is given to the subject undergoing a narco

analysis test in the form of an 'Amytal Interview'.¹³⁹¹ The modus operandi of this narco-analysis test consists of the administration of a drug that represses the reasoning power of the suspects putting them in a hypnotic state and intruding on the mental process of the suspect who has undergone the narco-analysis test. Before the test, the person must give his voluntary consent.¹³⁹² The logic behind conducting this test is that humans tend to speak lies in criminal trials. It is appropriate to claim that the potential uses of the narco analysis test pose legal issues that overlap at some point. Injecting a mind-altering drug against one's own will is a breach of their right to health. Narco Analysis was first used in India in 1935. It was used for the first time to put a person in a semi-conscious state by administering drugs for interrogation. It was also used in criminal investigations to treat mental illness and anxiety.¹³⁹³ Narcoanalysis and other detecting deception tests have been conducted at the Forensic Science Laboratory in Bangalore since 1999. Later that year, in 2000, India conducted its first narcoanalysis test on Veerappan, a forest poacher associated with several criminal charges. Lately, these have been frequently applied in big-league cases in India. These tests are routinely used in criminal investigations to interrogate the suspects of the crime and to excerpt information from them but these can no longer be used because there is a clear violation of human rights. When seven suspected individuals were connected to the fire of a train in Godhra, Gujarat, in 2002, narco analysis was once more undertaken by the investigating authorities. Abdul Karim, the accused in the Telgi scam case¹³⁹⁴ made to undergo a test. The directorate of forensic science conducted a narco-analysis test on the chief accused Moninder Singh Pandher involved in the serial murder case in Noida. Abu

¹³⁸⁷ Modak Anoop, *Scientific Techniques in Criminal Investigation*, 199 (3 ed. Lexis Nexis publishers, 2016)

¹³⁸⁸ Arun Kumar and Anjaneya Das *Deception Detection Test: A Subdued Investigating Tool*, 8(11) International Journal of Research and Review, 419 (2021) doi: <http://doi.org/10.52403/ijrr.20211153>

¹³⁸⁹ Ibid

¹³⁹⁰ Supra note 2

¹³⁹¹ Dr. Hari Dutt Sharma *Narco Analysis Test: Violation of Doctrine of Self-Incrimination*, vol, Cri Law Journal, 274 (2009)

¹³⁹² Himanshu Garg, Surodip Nandy *Constitutionality of Narco Analysis and Polygraph Examination*, 2(4) International Journal of Law and Management, 2-3 (2019)

¹³⁹³ Supra note 3

¹³⁹⁴ Abdul Karim Telgi vs State, SC 2007

Saleem, the underworld terrorist, and a gangster was taken for a narco analysis test in Mumbai. He was convicted of multiple crimes like murder, abduction, extortion, and narcotics trafficking. In the Arushi Talwar murder case, the CBI probe exposed a couple of doctors Rajesh Talwar and Nupur Talwar, and subjected them to a test in 2009. In the tandoor murder case,¹³⁹⁵ the accused Sushil Sharma accused of murdering his wife Naina Shani underwent a narco-analysis test. It was tough for the authorities to prove conviction. In the Sashi Murder case, Vijay Sen Yadav, the principal accused underwent narco and polygraph tests. There are other examples of cases where suspects are subjected to narco-analysis tests to find some clues associated with the crime. Due to the applicability of this test in these situations, which meant that the general public was unaware of the implications of the test and its methodology, the test received extensive notoriety. It is interesting to observe that other countries do not appreciate the finding of this scientific interrogation technique to the extent that Indian police agencies do. In *Shraddha Walker Case 2022*, Aftab Amin Poonawala, the accused of the brutal murder of his live-in partner Shraddha Walker in 2022, was administered a narco analysis test in Delhi based hospital. It was argued that in criminal cases, the scientific technique is used to elicit hidden truth from an accused and to advance the criminal probe. But the test has been the topic of legal and moral discussion in India regarding its application in criminal trials. The legal ramifications of the test have not been determined so far by the judicial system. The test encourages testimonial compulsion. The majority of narco analysis interrogation is happening in India currently as compared to other countries.¹³⁹⁶ In the year 2010, the involuntary use of polygraphs, brain imaging, and narcoanalysis was prohibited by the Supreme Court of India. The Honorable Court of justice stated that administering a narco

analysis test under compulsion violates the right against self-incrimination, unwarranted invasion of privacy, and psychological abuse.¹³⁹⁷ The practice has frequently been used in India and the court in many instances has permitted to use of this as a scientific or deception detection test.

4. The mechanism of the drug: Procedure

Narco Analysis is a contentious form of psychotherapy that uses drugs to unleash the subject's repressed thoughts, resulting in an emotionally disagreeable notion.¹³⁹⁸ The procedure to conduct a narco analysis test includes mixing 3 grams of a chemical called Sodium Pentothal liquified in 3000 ml of condensed water. The truth drug (Sodium Pentothal) is injected into the accused and puts him in a hypnotic state. Administration of medicine intravenously eliminates the process of drug breakdown in the subject. The procedure for narco analysis is conducted only in government hospitals following strict court orders with the assistance of medical professionals. The procedure has been widely employed in India, and the court has in numerous cases authorized its use. In India this test is conducted by a medical team comprised of the following:¹³⁹⁹

1. An anesthesiologist
2. A psychiatrist
3. A forensic psychiatrist
4. An audio videographer
5. Supporting medical staff

5. Scientific use and abuse of the test

It's also important to comprehend the limitations of the narco-analysis technique. According to various studies, the majority of drug-induced disclosures are irrelevant. It does not have Whenever it appears that it is not possible to discover any additional evidence, the investigating authorities might undertake the inquiry using percussive instruments and

¹³⁹⁵ State vs. Sushil Sharma

¹³⁹⁶ A.K Kala, *Of Ethically Compromising Positions and Blatant Lies about Truth Serum*, 49(1), Indian Journal of Psychiatry, 6 (2007)

¹³⁹⁷ Selvi v State of Karnataka (2010)

¹³⁹⁸ "Narco Analysis" Miller-Keane Encyclopedia and Dictionary of Medicine, Nursing and Allied Health, (7 ed Saunders Publishers 2003)

¹³⁹⁹ Supra note 2

science-based based methodologies. This method may also be used to supplant the third-degree method of interrogation to get clues and leads from suspects' inquisition. When the investigating authorities are unable to determine the truth, the narco-analysis technique is advocated to aid and track the activities of advanced offenders. Additionally, this method helps identify those who participated in terrorist operations and white-collar crimes. According to the *Indian Code of Medical Ethics*¹⁴⁰⁰ "the physician shall not aid or abet torture, nor shall he be a party to either the infliction of mental or physical trauma or the concealment of torture inflicted by some other person or agency in clear violation of human rights."

The general public now recognizes narcoanalysis as a scientifically proven technique for discerning the truth. The widespread application of narcoanalysis further supports its legality and helps to find some clues. These methods have been employed by investigating agencies consisting of the police, forensic psychologists, and forensic laboratories in high-profile cases.¹⁴⁰¹ In narcoanalysis, a suspect's body is injected with sodium pentothal, often known as a truth serum. The suspect is expected to tell the truth while under the influence of truth serum. There have been several well-publicized cases where people who underwent narcoanalysis tests were severely tortured during the procedure to grab attention.¹⁴⁰² This procedure of the narco analysis test is violative of constitutional foundations. It can support irrefutable difficulties in criminal trials as substantial reliance. It has become imperative to reassess what constitutes a successful criminal justice system and propose strategies for strengthening it by limiting the use of scientific

techniques.¹⁴⁰³ It is crucial to show that narcoanalysis is supported by reliable science. The purpose of conducting narco analysis and other similar techniques in crime detection is to permute suspicion into guilt-ridden or guiltless. For the sake of public safety, this technique needs to be limited. Narco Analysis as a scientific technique has challenged the law's venerable method of assessing human values. Despite the prohibition of the narco-analysis test in courtroom trials, the courts are still letting the police use this technique primarily to screen the suspects and determine their suitability¹⁴⁰⁴. This is the reason why police welcomed this technique during the investigation. In India, narco analysis is a relatively new field of study.¹⁴⁰⁵ Also, it is illogical to use narcoanalysis when we cannot predict whether a statement would be accusatory or exculpatory inquiries. In such situations, the police may interrogate a suspect differently, and the suspect could decline to speak on the grounds of potential self-incrimination.¹⁴⁰⁶

6. Judicial Interpretation: Narco Analysis and legal position

There are significant ethical and legal ramifications for narco analysis as a scientific method. Its admissibility in a legal proceeding and ability to be used as a tool for investigation are under debate. The scientific validity of the narco-analysis technique has been called into question, and the results are unreliable. However, empirical research reveals that drug-induced disclosures are not always genuine. The legal position of an individual's constitutional right encroaches while submitting to a narcoanalysis test.¹⁴⁰⁷ Since they place the individual in an unconscious state when mental factors with powerful accompanying effects

¹⁴⁰⁰ Code of Medical Ethics Regulations, 2002: It is the duty of the physician to the patient that all the details of the patient given to the doctor should be in secrecy and that the doctor should have the duty of normal prudent man towards his family members.

¹⁴⁰¹ Jinee Lokaneeta, *The truth machine, policing, violence and scientific interrogation in India*, 1-3, (University of Michigan Press, Orient Blackswan South Asia Edn 2020)

¹⁴⁰² R. Ramachandran, *Law of Narco Analysis: Right to Self-Incrimination* 47 (Kamal Publishers, New Delhi, 2019)

¹⁴⁰³ S.P. Rokade and Shrivastava, *Scope and Limitation of Narco analysis and DNA Profiling Technology in India*, 12(1) Vidyabharti International Interdisciplinary research Journal, 617

¹⁴⁰⁴ Ken Alder, *A Social History of Untruth: Lie Detection and Trust in Twentieth Century America*, 5-6 (University of California Press, 2002).

¹⁴⁰⁵ Abhishhek Pathak & Mona Srivastava, *Narco Analysis: A Critical Appraisal*, 5(6), Indian Journal of Forensic Medicine and Toxicology, 56, (2011)

¹⁴⁰⁶ South Asia Human Rights Documentation Centre Source Narcoanalysis: *A Dangerous Mirage*, 42, Economic and Political Weekly, 2858, (2007) (Jan 19, 2023, 11:15 A.M) URL: <https://www.jstor.org/stable/4419780>

¹⁴⁰⁷ M. Arun and P.P. Jagadish, *The Present Legal Perspective of Narcoanalysis: Wind of Change in India*, 78, Medico-Legal Journal, 138 (2010)

can arise and be used against them by the investigating agency, the generality of narcoanalysis tests lack legal legitimacy. As a result, in most cases, these tests are not acceptable in court. The outcome of such tests can only be utilized to obtain corroborating evidence.¹⁴⁰⁸ The legal repercussions of opting for this test as a tool in an investigation process are not convincing. In the *State of Gujarat v. Anirudh Singh*,¹⁴⁰⁹ Based on a decision given by the Supreme Court, there is a legal requirement for any witnesses who seems to be aware of a crime to assist in gathering facts. It is alleged that if an individual refuse to supply required information in the investigative process, a negative opinion about them must be formed. As a result, there is no violation of the right against self-incrimination. The Supreme Court's decision in 2010 clarified the situation. Two concerns surfaced regarding Articles 20(3) and 21 concerning the involuntary administration of the Deception Detection Test for assisting and improving criminal investigations.¹⁴¹⁰

In the case of *Dinesh Dalmia v. State*,¹⁴¹¹ The High Court of Madras ruled that using scientific deception tests on the suspected for the sake of inquiry and thereby exerting the facts, such as the narcoanalysis test, polygraph, and brain mapping, do not infringe on their right to silence. In *Rojo George v. Deputy Superintendent of Police*,¹⁴¹² According to the proposition, obtaining any crucial information from a subject undergoing narcoanalysis would constitute persuasive coercion and violate the right against self-incrimination. Persons who are suspects of committing an offense are the only ones who are protected from testimonial compulsion. Modern criminals have begun to use a variety of contemporary methods to carry out their crimes, making it necessary to employ new scientific techniques like the Deception Detection Test because the old methods of inquiry and interrogation are

insufficient and ineffective. The court further ruled that it was not permissible to claim that investigative authorities had infringed any Indian citizen's fundamental human rights when such procedures were utilized in the presence of experts.

In the *Hathras gang rape case*,¹⁴¹³ the government of Uttar Pradesh declared that narco-analysis tests would be performed on the offenders and the victim's family members. The scrutiny of the inquiry and various issues over the validity of the narco-analysis test was widely covered on social media. In high-profile file cases, the Central Forensic Science Laboratories have chosen to use these techniques since 1973, when the Narco-analysis test was strengthened in India. Having happened lately the case of *S.R Sephy v CBI*,¹⁴¹⁴ narcoanalysis was performed on the accused Father Kotor, and Sister Sephy the recent case involving Sister Abhaya's death presented a significant challenge for the prosecution throughout the trial. Following those considerations, the court had to determine if the suspect had succeeded in establishing the secured proper evidence that had been discovered through the use of the scientific test that was required to be admitted by the Indian Evidence Act of 1872. Both accused parties confessed to the crime and provided details of their plan of action during the narcoanalysis interview instead, their defense lawyer contested the court order and claimed further that Court had rejected the admissibility of the narco-analysis analysis results as scientific proof. The results of the tests cannot be interpreted as confessions since persons who have been sedated cannot exercise free will when responding to the questions. The honorable Supreme Court had an opportunity to dwell into the case of *Manoranjan Singh v State of Delhi*¹⁴¹⁵ stating that the administration of the narco analysis test directly violates the right to remain silent and

¹⁴⁰⁸ Supra note 17

¹⁴⁰⁹ *State of Gujarat vs Anirudh Singh*, AIR 1997 SC 2780

¹⁴¹⁰ *Selvi vs State of Karnataka*, SCC 263, 2010

¹⁴¹¹ *Dinesh Dalmia v State*, 2006 CrL L.J 2401

¹⁴¹² *Rojo George v. Deputy Superintendent of Police*, AIR 1953 SC 131

¹⁴¹³ *Satyama Dubey vs Union of India*, WP (296/2020)

¹⁴¹⁴ *Sr Sephy vs CBI*, CrL MC. 8616 of 2019 Ker

¹⁴¹⁵ *Manoranjan Singh vs State of Delhi*, 2008, 3 SCC 523

the due process protections guaranteed under the Indian Constitution. In the *Ayesha Meera murder case*¹⁴¹⁶ where a pharmacy student was murdered and the evidence was erased by some persons, no evidence was found by the investigating authorities to support the victim. The criminal procedure and evidence standard have no application in today's scientific world. People who perpetrate crimes today do so by employing new technologies.¹⁴¹⁷ In *Sunil Bhati v State of Rajasthan*,¹⁴¹⁸ The court stated that a scientific technique such as narco-analysis has no bearing on the outcome of the accused's trial. In *Vipin Kushwala v The State of Madhya Pradesh*,¹⁴¹⁹ the court decided that allowing the accused to undergo a narco analysis test is an exercise of futility as the same is not acceptable as evidence in the Court. In the case of *Louis v State of Kerala*¹⁴²⁰ regardless of whether the accused submits himself to a narco analysis test, it is not justified. The court determined that the disclosures made during the trance state under the effect of drugs could not be interpreted as a conscious decision made by the accused.

The "Right to a fair trial" is outlined in Article 6 of the European Convention for the Protection of Human Rights and Fundamental Freedoms. No individual shall be the subject of therapeutic or scientific testing without their permission.¹⁴²¹ Narco analysis lacks specific legal validity in India on moral and ethical grounds. In some circumstances, its admissibility is permitted based on extrinsic considerations. The technique relies heavily on assent and, if carried out against the subject's will, infringes the Right against self-incrimination.

7. Conclusion

The evolution of applied science and technology has necessitated the need to

undertake investigations using a spectrum of scientific approaches. The goal is to locate and connect criminals with the crime. To combat contemporary crimes the investigating authorities, seek the assistance of a narco-analysis test. The narco analysis is seen as a resource or helps in gathering and bolstering evidence. However, concerns are raised since it amounts to compulsion and breaches a person's fundamental rights. In India, there is a strong demand for the narcoanalysis technique, which depends on the competence of the investigative agencies in an alleged crime. Tracing offenders and stopping illicit activity to increase the likelihood are challenging aspects of the criminal process. The Narco analysis test has been adopted by the legal community, but when it is used, it should be done so with consideration for both individual rights and the criminal justice system. Despite being accepted as a vital technique in combating crime, forensic science has yet to exert a significant influence on the criminal justice system in India.

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¹⁴¹⁶ *Pidhathala Satyam Babu v The State of Andhra Pradesh* Cri A 1518, 2017

¹⁴¹⁷ *Supra* note 11

¹⁴¹⁸ *Sunil Bhati v State of Rajasthan*, CRI.MP/2947, 2018

¹⁴¹⁹ *Vipin Kushwala v State of Madhya Pradesh* 1178 MP 2021

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