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Tiruchirappalli – 620102

Phone : +91 73059 14348 – [info@iledu.in](mailto:info@iledu.in) / [Chairman@iledu.in](mailto:Chairman@iledu.in)



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## LEGALITY OF NARCO ANALYSIS TEST IN INDIA-CONSTITUTIONAL AND JURISPRUDENTIAL PERSPECTIVE

**AUTHOR – BHAVADHARANI.M\* & MRS. HEMAVATHY\*\***

\* STUDENT AT SCHOOL OF EXCELLENCE IN LAW, THE TAMILNADU DR.AMBEDKAR LAW UNIVERSITY, CHENNAI

\*\* PROFESSOR OF LAW AT SCHOOL OF EXCELLENCE IN LAW, THE TAMILNADU DR.AMBEDKAR LAW UNIVERSITY, CHENNAI

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### ABSTRACT:

Narco-analysis, sometimes referred to as a "truth serum" test, uses medications to put suspects into a hypnotic condition in order to extract concealed information. It is a forensic instrument with stringent legal restrictions related to consent and constitutional rights in India. Barbiturates such as sodium pentothal (3 grams in 3000 ml distilled water, dosed by body weight at 4 ml/min) are used in narco-analysis to sedate a subject and lower inhibitions and willpower for truthful responses during questioning. The word comes from the Greek word "narko" (anesthesia), which produces a semi-conscious condition in which lying is challenging but not impossible.<sup>596</sup> The constitutional validity and practical legality of narco-analysis tests in India are examined in this research. It charts the development from early court approval to the seminal ruling in *Selvi v. State of Karnataka* (2010)<sup>597</sup>, followed by recent rulings by the Supreme Court reiterating the illegality of involuntary narco testing. The study comes to the conclusion that forced administration of narco-analysis is unlawful and its evidentiary value is extremely restricted, even though volunteer narco-analysis under strict safeguards is not outright prohibited.

**KEYWORDS:** Narco-Analysis, Truth serum test, Indian Constitution, Forensic instrument, Sodium pentothal, Anaesthesia.

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<sup>596</sup> NDTV, *What Is a 'Narco Test': Explained* (Nov. 16, 2022), <https://www.ndtv.com/india-news/what-is-a-narco-test-explained-3529826>. [last accessed Feb 02, 2026].

<sup>597</sup> *Selvi v. State of Karnataka*, (2010) 7 SCC 263.

## INTRODUCTION:

Narco-analysis is the process of lowering a subject's inhibitions by giving psychoactive chemicals (sometimes referred to as "truth serum," such as sodium pentothal) in order to extract information that might otherwise remain hidden. The approach has garnered attention in prominent criminal investigations in India, sparking a discussion about whether it is compatible with criminal procedure and constitutional rights. The State's interest in conducting an efficient inquiry and the individual's rights to privacy, physical integrity, and protection from self-incrimination under Articles 20(3) and 21 of the Constitution represent the main legal conflict. In Indian criminal investigations, narcoanalysis—which uses sodium pentothal to induce a semi-conscious condition in order to extract information—raises important issues regarding its legal legality. The Supreme Court has regularly ruled against its involuntary use, striking a balance between constitutional safeguards and investigative requirements.<sup>598</sup> The constitutional legitimacy of narcoanalysis tests, which use truth serums such as sodium pentothal, has been the subject of a heated controversy in India that pits investigative effectiveness against fundamental rights. Protections against self-incrimination and privacy have been upheld by the Supreme Court's decision that involuntary administration is unconstitutional.<sup>599</sup> This was confirmed by recent rulings in 2025, such as *Amlash Kumar v. State of Bihar*, which rejected court-ordered compulsion.<sup>600</sup>

<sup>598</sup> S.C.C. Online Blog, *SC Sets Aside Patna HC Order Permitting Forced Narco-Analysis Test* (June 10, 2025), <https://www.sconline.com/blog/post/2025/06/10/sc-sets-aside-patna-high-court-order-permitting-forced-narco-analysis-test/>. [last accessed Feb 18, 2026].

<sup>599</sup> Testbook, *Selvi vs State of Karnataka Case Analysis*, <https://testbook.com/landmark-judgements/selvi-vs-state-of-karnataka> [last accessed Feb 18, 2026].

<sup>600</sup> S.C.C. Online Blog, *SC Sets Aside Patna HC Order Permitting Forced Narco-Analysis Test* (June 10, 2025), <https://www.sconline.com/blog/post/2025/06/10/sc-sets-aside-patna-high-court-order-permitting-forced-narco-analysis-test/>.

## BACKGROUND HISTORY:

In the early 2000s, narcoanalysis tests became widely used in Indian criminal investigations, signaling a move toward scientific interrogation techniques in the face of growing terrorism and complicated crimes.<sup>601</sup> The method was initially utilized in India during the 2002 Godhra train fire case investigation in Gujarat, where the accused were tested at the Forensic Science Laboratory (FSL) in Gandhinagar using medications such as sodium pentothal to produce a hypnotic condition.<sup>602</sup> Although formal use awaited judicial approval, it gained traction following the Veerappan case in 2001, with FSL Bangalore holding preliminary trials. Abdul Karim Telgi was subjected to narco tests in 2003 as part of the Telgi stamp scam, which led to concerns about consent difficulties from the NHRC.<sup>603</sup> The murder of Aarushi Talwar in 2006 (2008 tests on parents), the train explosions in Mumbai in 2006, the killings of Nithari in 2006, and the serial explosions in Bangalore in 2008 were among the high-profile applications that followed. At first, courts permitted police orders without statutes, viewing it as a "investigative aid" under CrPC Section 2(h).<sup>604</sup> By the middle of the 2000s, labs in Bangalore, Gandhinagar, and Hyderabad had standardized procedures involving psychologists, video recording, and polygraph corroboration. Prior to 2010, tests were accepted by lower courts despite concerns about their reliability (suggestibility hazards). Magistrate consent was required by NHRC guidelines (2006), which fueled challenges that resulted in *Selvi v. State of Karnataka* (2010), which limited involuntary

<sup>601</sup> IILMS Acad., *Narco Analysis Test in India: Legal Validity, Ethics, and Case Applications* (Dec. 20, 2025), <https://www.iilms.academy/blog/narco-analysis-test-in-india-legal-validity-ethics-and-case-applications> [last accessed Mar. 18, 2026].

<sup>602</sup> *Narco Analysis: A Comparative Study with Respect to India*, Index Copernicus J., <https://journals.indexcopernicus.com/api/file/viewByFileId/2080360> [last accessed Mar. 18, 2026].

<sup>603</sup> *Narco Analysis: A Comparative Study with Respect to India*, Index Copernicus J., <https://journals.indexcopernicus.com/api/file/viewByFileId/2080360> [last accessed Mar. 18, 2026].

<sup>604</sup> iPleaders, *Examining Narco-Analysis: The Indian Judicial Approach and a Global Perspective* (June 30, 2021), <https://blog.ipleaders.in/examining-narco-analysis-indian-judicial-approach-global-perspective/>. [last accessed Mar. 18, 2026].

usage.<sup>605</sup> Investigators and the accused do not have an unassailable right to compel narco tests; voluntary ones need judicial supervision, the presence of an attorney, and protections like video recording.<sup>606</sup> Because of dependability concerns like suggestibility, results are only corroborative under Section 27 of the Evidence Act (discovery effects), never the only evidence for conviction. By addressing post-Selvi lower court anomalies, this 2025 ruling limits police overreach during the bail and investigation phases. By March 2026, there won't be any statutory changes; policy recommendations center on uniform procedures.<sup>607</sup>

### LEGAL FRAMEWORK:

The Indian Evidence Act, 1872 (currently Bharatiya Sakshya Adhinyam, 2023), where Section 27 restricts admissibility to facts found from accused utterances, does not specifically support narcoanalysis.<sup>608</sup> Article 20(3) of the Constitution forbids using mental coercion to force an accused person to testify against himself. Forced testing is considered intrusive under Article 21, which protects life, liberty, privacy, and dignity. Without particular statutory authority, narcoanalysis tests in India are conducted under a constitutional framework that places an emphasis on individual rights above investigative methods.

### CONSTITUTION OF INDIA:

Narco-analysis tests in India are strictly regulated by constitutional safeguards, particularly Article 20(3), which protects against self-incrimination, and Article 21, which guarantees the right to personal liberty. These

rights are fundamental and cannot be overridden by the judiciary. The Supreme Court has ruled that administering narco-analysis involuntarily breaches Article 20(3). Such tests require the free and informed consent of the accused. The Court clearly stated that forced or involuntary narco-analysis is not permissible under any legal circumstances.<sup>609</sup>

Article 20(3) of the Indian Constitution is a fundamental safeguard in criminal law that protects an accused person from being forced to testify against themselves. It states that "no person accused of any offence shall be compelled to be a witness against himself." This provision ensures the right against self-incrimination, meaning an individual cannot be legally obliged to provide evidence or statements that may incriminate them. It is a crucial element in upholding the principles of fairness and justice in the Indian legal system. In extremely rare instances, narco-analysis tests are performed. Because the subject of narco-analysis tests is in a semi-conscious or unconscious state of mind and cannot comprehend the true nature of the questions posed by the authorities, the results have no evidentiary value and are therefore not admissible in court. As a result, narco-analysis tests have no constitutional legal validity. However, it does serve as a tool for additional research.

### Protection against Self Incrimination:

Article 20(3) of the Indian Constitution, which addresses the right against self-incrimination, would be violated by narco-analysis tests, lie detectors or polygraphs, brain mapping, or P300 without the accused or the subject's prior agreement. It has been deemed a flagrant violation of Art. 20(3) of the Indian Constitution to subject accused people to such examinations. Since the subject is robbed of his right to privacy, which is a crucial component of his right to life and personal liberty under Article

<sup>605</sup> Nancy Dwivedi, *Narco-Analysis in India: Legal, Ethical and Investigative* (2025), <https://ijlrs.com/wp-content/uploads/2025/08/107.-Nancy-Dwivedi.pdf> [last accessed Mar. 18, 2026].

<sup>606</sup> Nancy Dwivedi, *Narco-Analysis in India: Legal, Ethical and Investigative* (2025), <https://ijlrs.com/wp-content/uploads/2025/08/107.-Nancy-Dwivedi.pdf> [last accessed Mar. 18, 2026].

<sup>607</sup> Nancy Dwivedi, *Narco-Analysis in India: Legal, Ethical and Investigative* (2025), <https://ijlrs.com/wp-content/uploads/2025/08/107.-Nancy-Dwivedi.pdf> [last accessed Mar. 18, 2026].

<sup>608</sup> Testbook, *Selvi vs State of Karnataka Case Analysis*, <https://testbook.com/landmark-judgements/selvi-vs-state-of-karnataka> [last accessed Mar. 18, 2026].

<sup>609</sup> Narco-Analysis Tests in Indian Criminal Law: Constitutional Safeguards and Evidentiary Value, *LawWeb* (June 2025), <https://www.lawweb.in/2025/06/narco-analysis-tests-in-indian-criminal.html>. [last accessed Mar 18, 2026].

21 of the Indian constitution, human rights advocates and other experts have raised a number of concerns regarding its legitimacy. In *State Bombay v. Kathikalu*<sup>610</sup>, it was noted that in order to qualify under Article 20(3), it must be demonstrated that the subject was forced to submit to the tests through coercion, threats, etc.

Article 20(3) of the Indian Constitution, which addresses the right to remain silent, is not restricted in any way. An individual's personal privacy is guaranteed by this right. The right to silence was first established in the case of *Nandini Satpathy v. PL Dani*<sup>611</sup>, where the court ruled that an accused person's right to remain silent during an investigation, particularly during questioning, could not be violated by using tests like Narco, which would forcefully enter the person's mind and violate their right to privacy. The court went a step ahead in *M P Sharma v. Satish Chandra*<sup>612</sup> and asserted that Article 20(3) of the Indian constitution uses the term 'to be a witness' and not 'to appear as a witness' which broadens the scope outside the court premises that no person accused of any offence shall be compelled to speak against himself. A similar clause is found in Section 161(2) of the Criminal Procedure Code, which states that "everyone is bound to answer truthfully all questions put to him by the police officer, other than the questions the answers to which would have a tendency to expose that person to a criminal charge, penalty, or forfeiture. Therefore, any such statement taken from the accused or any suspect in the crime when he is in a state of disinhibition would be deemed unconstitutional and would not be admissible as evidence in court. However, in some situations, the court has the authority to record the statement as evidence or not, after first considering all relevant factors."<sup>613</sup>

<sup>610</sup> *State of Bombay v. Kathi Kalu Oghad*, AIR 1961 SC 1808 (India).

<sup>611</sup> *Nandini Satpathy v. P.L. Dani*, AIR 1978 SC 1025 (India).

<sup>612</sup> *M.P. Sharma v. Satish Chandra*, AIR 1954 SC 300 (India).

<sup>613</sup> Nancy Dwivedi, *Narco-Analysis in India: Legal, Ethical and Investigative Implications*, 4 J. Legal Res. & Juridical Sci. 1124 (2025).

### **Fundamental Principle:**

This protection is crucial in a democratic system as it shields the accused from any coercion that could compel them to disclose self-incriminating evidence. Narco-analysis, by seeking to extract unfiltered truth through chemical means, fundamentally challenges this safeguard.<sup>614</sup>

### **Suggestions of Narco-Analysis test:**

When a suspect undergoes a procedure that chemically alters their cognitive control—even if it appears voluntary—it raises significant concerns. The drug's active role in weakening conscious self-censorship can effectively cause involuntary self-incrimination, which undermines the protections intended by Article 20(3).<sup>615</sup>

### **Right to Life and Personal liberty:**

Article 21 has been expansively interpreted by the Indian judiciary. Its protection isn't just confined to physical survival but also embraces the right to mental and personal integrity.

### **Mental Freedom and Self Determination:**

Narco-analysis encroaches on an individual's right to mental privacy—a dimension of personal liberty upheld under Article 21. When an individual's cognitive state is pharmacologically altered, it not only disrupts their ability to control their thoughts but can also lead to unpredictable physiological and psychological consequences.

### **Judicial Reservations:**

The Supreme Court has consistently held that techniques such as narco analysis, brain mapping, and polygraph tests, when used without strict safeguards, amount to a form of "inquisition" that conflicts with the principles of a modern legal system that respects individual rights. This stance emphasizes that even methods aimed at uncovering the truth must uphold the dignity and fundamental freedoms

<sup>614</sup> Nancy Dwivedi, *Narco-Analysis in India: Legal, Ethical and Investigative Implications*, 4 J. Legal Res. & Juridical Sci. 1124 (2025).

<sup>615</sup> *Ibid*.

of the person subjected to them. The courts have emphasized important safeguards for the use of forensic techniques like narco-analysis, beyond constitutional requirements:

- Clear, informed, and voluntary consent must be obtained before conducting narco-analysis.
- Judicial authorization is essential to prevent these methods from becoming coercive.
- Results from such tests need corroboration by independent evidence before they can be substantively considered in trials.

This judicial oversight is crucial to uphold rights and ensure the integrity of forensic processes.<sup>616</sup>

#### CASES:

Certainly Here is a brief overview of some landmark Indian case laws and judicial prescriptions related to narco-analysis, highlighting how courts have balanced investigative needs with constitutional rights:

#### **Selvi v. State of Karnataka (2010)**

The judgment further mandated that any statement derived through such means cannot be accepted as the sole piece of evidence for conviction; it must only be used as a tool to aid in the investigation, corroborate other evidence, or guide the inquiry. This ensures that the rights of the accused are protected, preventing misuse or over-reliance on potentially involuntary or unreliable testimony obtained through narco analysis.<sup>617</sup>

#### **Amlesh Kumar v. State of Bihar (2025):**

The accused in this recent case argued that even the suggestion of subjecting him to narco-analysis during the bail hearing violated his legal rights. While the Bihar High Court initially agreed with this view, the issue was escalated to the Supreme Court for further examination

and clarification. If you need, I can help summarize the key legal principles involved or provide further insights on the implications of this ruling. The Supreme Court reaffirmed that an accused person does not have an absolute right to request or refuse narco analysis without proper judicial oversight. The ruling emphasized that, despite any investigative advantages, constitutional protections related to personal liberty and the right against self-incrimination must be upheld. This case highlights the judiciary's commitment to balancing forensic techniques with the safeguarding of fundamental constitutional rights.<sup>618</sup>

#### **Rojo George v. Deputy Superintendent of Police (2006):**

The Kerala High Court case highlighted crucial points about consent in the context of forensic tests like narco analysis. The petitioner contended that administering such tests without clear and voluntary consent violated personal liberty. The Court ruled that conducting these tests without credible proof of informed consent is both unethical and unconstitutional. It underscored that forced participation in forensic procedures compromises the judicial process, as any confession or statement obtained under duress could be considered unreliable and tainted.<sup>619</sup>

#### **Dinesh Dalmia v. State (2006):**

The Madras High Court, in a case involving financial fraud and intricate investigative difficulties, allowed the use of narco-analysis as an additional investigative method. However, the court was clear that the results from such tests cannot be regarded as definitive evidence. These results must always be corroborated through traditional investigative means. Furthermore, the court mandated that if narco-analysis is to be used, it must be conducted following strict standardized medical and

<sup>616</sup> National Human Rights Commission (India), 'Guidelines on Polygraph Test, Brain Mapping and Narco Analysis' (2010).

<sup>617</sup> *Selvi v. State of Karnataka*, (2010) 7 SCC 263.

<sup>618</sup> *Amlesh Kumar v. State of Bihar*, 2025 INSC 810 (India).

<sup>619</sup> *Gian Singh v. State (NCT of Delhi)*, 2011 SCC OnLine Del 4577 (India).

forensic protocols to prevent any misinterpretation or misuse of the findings.<sup>620</sup>

#### **Nisha Priya Bhatia v. Union of India (2014):**

The Delhi High Court case highlighted the contentious use of narco-analysis in national security contexts. The petitioner, a former intelligence officer, underwent narco-analysis under conditions that raised significant human rights issues. The court examined whether such forensic techniques could be legally justified in national security investigations. Ultimately, it ruled that individual rights must be preserved even in matters of national security. Specifically, narco-analysis without explicit, voluntary, and informed consent was found to violate constitutional protections of individual dignity.<sup>621</sup>

#### **State of Gujarat v. Anirudh Singh (1997):**

This case, while not directly addressing narco-analysis, is pivotal for its discussion on the duty of citizens during investigations. The Supreme Court highlighted the civic duty to assist investigative processes but cautioned that the state's pursuit of information must not violate constitutional rights. This ruling underscores that although effective investigations are important for the state, they must never compromise individual fundamental freedoms. Consequently, even compelling techniques like narco-analysis must be conducted strictly within established legal limits.<sup>622</sup>

#### **Brown v. Mississippi (1936):**

In *Brown v. Mississippi*, the U.S. Supreme Court addressed the issue of coerced confessions extracted through brutal police interrogation, highlighting the context of racial injustice. The Court ruled that involuntary confessions are inadmissible in court, regardless of the circumstances. This principle aligns with the automatic exclusion of coerced narco-analysis evidence in India. Despite differences in statutory frameworks, the core idea is

consistent: involuntary methods compromise the fairness of trials and damage the integrity of the judicial system.<sup>623</sup>

#### **Caselaws Impact on Forensic Methods:**

The courts have consistently emphasized that while the pursuit of truth is crucial, it must never infringe upon constitutional rights. Each ruling on narco-analysis, whether allowing or prohibiting it, upholds the fundamental legal principle that investigative convenience cannot compromise due process. Regardless of public pressure or demands for swift investigations, the protections guaranteed under Articles 20(3) and 21 must be preserved at all times. The cases mentioned have collectively driven significant reforms in forensic science administration in India. They have encouraged law enforcement to adopt more comprehensive approaches, ensuring that investigative techniques are supported by judicial oversight and corroborative evidence. Furthermore, landmark international cases like *Brown v. Mississippi* act as important reminders to courts worldwide about the risks associated with coercive interrogation methods. The ongoing collaboration among forensic experts, legal scholars, and human rights advocates is expected to produce more refined judicial guidelines. As investigative technologies continue to evolve, there is an increasing agreement that any new method must meet strict ethical and legal standards before being incorporated into standard criminal procedures.

#### **RECOMMENDATIONS:**

##### Strengthening Legal and Forensic Protocols:

Recognising the limitations and dangers inherent in narco-analysis, several policy recommendations have emerged aimed at balancing investigative needs with constitutional rights:

Here are several policy recommendations to balance investigative needs with constitutional

<sup>620</sup> Dinesh Dalmia v. State (by SPE, Central Bureau of Investigation), 2006 (2) Mad LJ 1075 (Mad).

<sup>621</sup> Nisha Priya Bhatia v. Union of India, 2020 SCC Online SC 394 (India).

<sup>622</sup> The State of Gujarat v. Anirudhsing & Anr., 1997 (3) Crimes 82 (SC) (India).

<sup>623</sup> *Brown v. Mississippi*, 297 U.S. 278 (1936).

rights, considering the limitations and dangers inherent in narco-analysis:

1. **Voluntary Consent:** Ensure that narco-analysis is conducted only with the informed and voluntary consent of the individual, respecting their autonomy.
2. **Judicial Oversight:** Require prior approval and continuous monitoring by an independent judiciary to prevent abuse and protect fundamental rights.
3. **Qualified Personnel:** Limit the procedure to trained medical and psychological professionals to minimize health risks and ensure ethical standards.
4. **Clear Legal Framework:** Establish explicit laws detailing the permissible scope, methods, and safeguards for narco-analysis to prevent arbitrary use.
5. **Protection of Rights:** Guarantee that evidence obtained through narco-analysis complies with constitutional protections, including the right against self-incrimination and the right to a fair trial.
6. **Transparency and Accountability:** Implement mechanisms for documentation, review, and redress in case of violations or misuse.
7. **Alternative Investigative Methods:** Promote the use of less intrusive, scientifically validated techniques whenever possible to reduce reliance on narco-analysis.

#### Institutionalising Clear Medical Protocols:

Establish a standardized protocol for the administration of narco-analysis. This includes precise instructions regarding dosage, duration, and the particular professional credentials needed for test administrators. The procedure's current inconsistencies would be reduced with the establishment of a nationwide guideline.

#### Mandatory Pre-Test Judicial Authorisation:

Strengthen the need for judicial supervision at every level. A pre-test hearing should verify that the accused's permission is genuinely voluntary and that no less invasive alternative form of investigation is available.

#### Certification of Forensic Experts:

Establish a certification program for forensic specialists who perform narco-analysis. To ensure that procedures adapt to new scientific discoveries, regular training sessions on the most recent medical and interrogation techniques ought to be required.

#### Development of an Independent Monitoring Committee:

Form an oversight group with members from civil society organizations, medical ethics organizations, and openness, this organization would routinely examine forensic procedures and make sure that procedures are properly followed.

#### Research and Development of Alternatives:

It is essential to fund research to create substitute forensic methods. Promising paths consist of:

#### Neuroimaging and Brain Mapping:

Technological developments in electroencephalography (EEG) and functional magnetic resonance imaging (fMRI) give the possibility of mapping brain activity without intrusive medication. Even though these methods are still in the experimental stage, they might potentially provide more dependable patterns of cognitive response and memory recall while maintaining the autonomy of the individual.

#### Behavioral and Digital Forensics:

By incorporating digital forensic techniques and extending behavioral science methodologies, it is possible to gain unbiased insights into criminal behavior. For instance, traditional investigation techniques can be enhanced by voice stress analysis or pattern recognition

technologies for fraudulent transactions, which lessens the reliance on contentious procedures.

#### Collaborative Academic Research:

Promote multidisciplinary research projects that unite specialists in psychology, law, ethics, and forensic science. Government organizations and academic institutions should collaborate to create reliable procedures that satisfy evidential requirements without violating human rights.

#### Policy Reform for a Progressive Criminal Justice System:

In a time when forensic science is developing quickly, there is a clear need for comprehensive policy reform.

#### Legislative Review:

Current rules pertaining to evidence in criminal trials should be revised by the Law Commission of India<sup>3</sup> and parliamentary committees. This can guarantee that individual rights are upheld while incorporating new forensic discoveries.

#### Public Conversation and Transparency:

Encouraging public conversation regarding intrusive forensic techniques, such as narco-analysis, might increase pressure for change. Public confidence in the criminal justice system will be strengthened by transparency in the collection and application of forensic evidence.

#### International Collobaration:

India can work with forensic specialists from countries with stringent evidential standards by utilizing international best practices. These worldwide discussions may result in the adoption of cutting-edge, morally sound forensic methods that conform to international human rights standards.

#### The Media's Influence on Public Perception:

The public's perception of the validity of law enforcement procedures is significantly influenced by media coverage of contentious forensic methods. Sensationalized stories about narco-analysis in India have occasionally

exaggerated its alleged effectiveness while downplaying its moral and legal flaws.

#### Impact on Jury Trials and Public Opinion:

Dramatic findings from narco-analysis tests are frequently highlighted by news organizations, which can influence public opinion and lead to biases in jury trials. Contrary to constitutional protections, this media narrative may unintentionally put pressure on law enforcement and judicial authorities to adopt a more lenient posture on intrusive measures.

#### Balanced Reporting:

An increasing number of legal analysts and investigative journalists are now pushing for balanced reporting that critically considers the implications of narco-analysis for human rights as well as its forensic significance. This kind of fair discussion can promote increased responsibility and motivate decision-makers to pursue change.

#### Academic and Legal Workshops:

Public seminars and legal workshops are becoming popular venues for specialists and laypeople to talk about the consequences of forensic evidence. These platforms frequently unite. The technical details of narco-analysis are explained by forensic specialists. Legal experts debate whether it complies with constitutional provisions. Human rights supporters emphasize the ethical aspects and argue for non-intrusive alternatives. These discussions are essential for educating the public about their rights with regard to forensic investigations and for informing current legislative improvements.

#### **CONCLUSION:**

The intense controversy surrounding narco-analysis in India is evidence of the fine line that must be drawn between forensic investigation and the defense of individual rights. Narco-analysis has consistently pushed the limits of what should be acceptable in the search for the truth, from its early days in Cold War espionage

to its contentious use in contemporary criminal cases. The judges and human rights defenders correctly point out the dangers it poses to individual liberty and constitutional sanctity, despite the technique's supporters hailing it as a revolutionary tool for uncovering buried evidence. From *Selvi v. State of Karnataka* to more recent rulings like *Amlash Kumar v. State of Bihar* and global equivalents like *Brown v. Mississippi*, the development of case law demonstrates a persistent judicial commitment to preserving human dignity. These decisions act as vital protections to prevent the rights guaranteed by Articles 20(3) and 21 of the Constitution from being overshadowed by investigative expediency. Furthermore, policymakers, legal scholars, and forensic professionals are beginning to agree that every forensic tool must pass stringent standards of legal integrity, ethical acceptability, and scientific validation. As technology develops, methods like narco-analysis may become obsolete due to the promise of non-invasive and more trustworthy substitutes like neuroimaging and digital behavioral analysis. Until then, upholding stringent procedures, impartial oversight, and open reporting will be crucial to guaranteeing justice is administered fairly. In the end, India—as well as other countries throughout the world—must strike a balance between the urgent need to find the truth and the necessity of defending each person's fundamental rights. Legislators, forensic experts, and the general public must find a balance going ahead that does not sacrifice human dignity in the name of expediency. Meanwhile, a future for forensic science that is both inventive and profoundly respectful of the principles that support a just society will be shaped by ongoing scholarly discussion, interdisciplinary research, and public debate.

#### REFERENCE:

1. Nancy Dwivedi, *Narco-Analysis in India: Legal, Ethical and Investigative*, J. Legal Rsch. & Jud. Scis. (2025), [https://jlrjs.com/wp-](https://jlrjs.com/wp-content/uploads/2025/08/107.-Nancy-Dwivedi.pdf)

[content/uploads/2025/08/107.-Nancy-Dwivedi.pdf](https://jlrjs.com/wp-content/uploads/2025/08/107.-Nancy-Dwivedi.pdf).\*\* [last accessed on Feb 12 2026].

2. Ngamthonba Thangal, *Critical Analysis of Narco-Analysis and Its Maintainability Under the Indian Constitution from a Legal Standpoint*, White Black Legal (last visited Mar. 20, 2026), <https://www.whiteblacklegal.co.in/details/critical-analysis-of-narco-analysis-and-its-maintainability-under-the-indian-constitution-from-a-legal-standpoint-by-ngamthonba-thangal>. [last accessed on Feb 12, 2026].
3. *Examining Narco-Analysis: The Indian Judicial Approach and a Global Perspective*, iPleaders (June 30, 2021), <https://blog.iplayers.in/examinin-g-narco-analysis-indian-judicial-approach-global-perspective/> [last accessed on Feb 12, 2026].
4. *Narco Analysis Test*, Drishti IAS (May 25, 2023), <https://www.drishtiias.com/daily-updates/daily-news-analysis/narco-analysis-test>. [last accessed on Feb 13, 2026].
5. *Narco-Analysis and Procedural Abuse in Bail Proceedings in India*, Oxford Hum. Rts. Hub (July 13, 2025), <https://ohrh.law.ox.ac.uk/narco-analysis-and-procedural-abuse-in-bail-proceedings-in-india/>. [last accessed on Feb 14, 2026].
6. Narco-. (n.d.) American Heritage Dictionary of the English Language, Fifth Edition. (2011). Retrieved November 7 2019 from <https://www.thefreedictionary.com/narco> [last accessed on Feb 14 2026].
7. All the proceedings under the Code for the collection of evidence by a police officer or by any other person (other than a Magistrate) who is authorized by the Magistrate in this behalf will come under the purview of investigation, [last accessed on Feb 14, 2026].

8. Wolpe PR, Foster KR, Langleben DD. Emerging neurotechnologies for lie-detection: promises and perils. *Am J Bioeth.* 2005;5:39–49 [last accessed on Feb 14 2026].
9. Smt. Selvi & Ors Vs State of Karnataka. Smt. Selvi & Ors Vs State of Karnataka Judgment on 5 May 2010. (Criminal Appeal No. 1267 of 2004) [accessed on May 10, 2026]. Available from: <http://supremecourtindia.nic.in/>
10. Ambedkar S. N., Barnwal Ajay, "Narco-analysis Test: An analysis of various judgements of Indian Judiciary". *IOSR Journal of Humanities And Social Science* 19.10 (2014) :52-57 [last accessed on Mar 01 2026].
11. [https://www.legalserviceindia.com/article/I375-Article-20-\(3\)-Of-Constitution-of-India-And-Narco-Analysis.html](https://www.legalserviceindia.com/article/I375-Article-20-(3)-Of-Constitution-of-India-And-Narco-Analysis.html) [last accessed on Mar 01 2026].

