

BURNISHED LAW JOURNAL

NARCO ANALYSIS AND SCIENTIFIC METHODS OF INVESTIGATION

Nishtha Gupta
NALSAR, Hyderabad

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INTRODUCTION

This project aims to look into the various methods of gathering evidence and information about the offences using scientific procedures. The basic procedures looked into this project would be Narco analysis and brain mapping. This is considered to be relevant considering the fact that while there are many case where these procedures have been used, however there is no rationale laid down by the to be relied upon by the investigating agencies. This has come to gain importance for the use of it has been recommended in the Unnao rape case. The courts have not been able to come to a conclusion on whether they would be admitting narco as an evidence and whether the police have the authority to compel the accused and the witnesses to these procedures.

The project will be divided into four major segments. The first segment deals with Narco analysis as a procedure. It also describes other forms of scientific investigation that can be used by the investigation agencies to facilitate the procedure of crime detection. The second segment deal with the analysis of these procedures. It would also deal with the judgements that have been delivered by the courts in this area. The third segment would be a comparative analysis of this procedure used in various countries. the fourth segment would be providing recommendations and the conclusion to the research. The author has taken interviews from various categories of people including police and judges and the forensic experts to gather their view and recommendations on the subject. These have been added in the segments to support the stance and the recommendations of the author.

ABSTRACT

This project aims to analyze the validity of scientific procedures used during the process of investigation and their admissibility in courts. These have been subject to widespread debate owing to their constant debate with the constitutional provisions of the country. These have been constantly critiqued and opposed as they are said to clash with the right to privacy and right against self-incrimination enshrined in the Indian Constitution. The project has been formulated in order to gain a fruitful understanding of the issue and the validity of the procedures in the courts of law. There have been expert opinions on the matter that have been added to give substance and buttress the analysis.

The project is chosen on this topic given the widespread reports and contentions on this area and the need to develop further research in this field. Having interest in the criminal system and its auxiliaries this topic was a to be analyzed topic for the author. It has been dealt in detail incorporating all the aspects of the procedure with special emphasis on the procedural side of the research. The questions that will be aimed to answer through this research are

1. What is the validity of narco analysis in our country and whether it can be used by the police in the process of investigation?
2. Does Narco stand in contention to the constitution and what have the courts had to say in this regards? What have the countries used Narco for? Can India borrow form the them in this subject?
3. What can be the possible solutions for this procedure to be supportive of the investigation and simultaneously ensuring that the rights of the individual are protected in the process?

AIMS, SCOPE AND OBJECTIVES

AIM AND OBJECTIVES

The aim of the project is to get a holistic understanding of various scientific methods of investigation. It is an attempt to analyze how the process evolved. The process has faced multiple challenges and criticisms and this project aims to gather the reasoning behind them. The project aims to be supportive of the process where it not only focusses on its negatives rather the positives are also brought to the light.

SCOPE

The project covers India as the model size. The examples and the case laws are form India. The project also involves interviews from experts in various fields. These include lawyers, doctors, forensic experts and police. Their view is considered important given the fact that the information given in the secondary sources cannot be relied upon completely unless one has firsthand information in this regard. The secondary sources used are books, internet and the newspapers.

LIMITATIONS

The project initially started as a study to support the process of narco and other scientific methods when the author read about the Unnao rape case and how the courts refused to allow police to use narco in investigation. The process was considered much needed as the suspects were escaping undeterred when they knew that the police would not able to extract information from them using scientific methods. The author wanted to appreciate the process however there was no information available on the internet in substantial form that would support the of the author. This was a limitation to the process. This led the author to support the stance with interview of experts. These were difficult to gather for many of them were not available and did not respond to the questions truly and substantively. The author has gathered all the information that was available from the secondary sources and the primary sources of interviews to support this method of investigation.

NARCO ANALYSIS AND METHODS

Narco analysis has been the most debated methods used in investigation of crimes. A statement from the accused is acquired in this process by administering a drug to the suspect or accused and the statement thus recorded might be used as evidence. On the one hand they have been criticized for violating the constitutional provisions and on the other hand their use is felt necessary to extract evidence in complicated cases. It is a diagnostic and psychotherapeutic technique that uses psychotropic drugs. These are barbiturates to induce stupor in which mental elements with strong associated effects come to the surface. These are exploited by the therapist. It poses several questions in the intersection of law, medicine and ethics.¹

There is another procedure called the brain mapping test also popularly known as the P300 test². It associates the activity of the brain with the reaction towards known words and pictures which stimulates certain waves of the person. These are then used to evaluate whether the person is telling the truth.

There is another scientific method called the lie detector test.³ It is a verbal test with the intention of revealing an intentional deceit. It also refers to questioning techniques that record physiological functions to ascertain truth and falsehood in response. This is mostly used in the western countries through the polygraph test.

¹ Narco analysis test, MADHAV UNIVERSITY, <https://madhavuniversity.edu.in/nacro-analysis-test.html>, (last seen on 25 September, 2019).

² *Supra*, note (1).

³ *Supra*, note (1).

CRIMINAL PROCEDURE AND NARCO

The code has used the words in the section which say that all persons shall be required to answer truly all questions during investigation except those that have the tendency of incriminating them.

The right against self-incrimination which is also called the right of silence has been enshrined in the constitution and the criminal code. The Code of Criminal Procedure⁴ has guarded against the right of self-incrimination. Sec 161 (2) of the Code of Criminal Procedure⁵ states that every person “is bound to answer truthfully all questions, put to him by a police officer, other than questions the answers to which would have a tendency to expose that person to a criminal charge, penalty or forfeiture.” The right to conduct a Narco test thus is categorised under duress and there are sides wanting to remove this means as a method of obtaining evidence. It is also said that Narco analysis is mental torture and this violates the right to privacy. Brain fingerprinting would not be allowed as evidence as a contrary to the right to life and privacy. Subjecting an accused to the procedures has been considered by most people as a blatant violation of 20(3)⁶. In the State of Bombay vs. Kathi Kalu it was held that the statement was obtained by compulsion for it to be against the article. Compulsion means forcing and threatening the person and a person close to the accused for him to confess the crime. This has allowed for the right of life of an accused to be maintained. By these tests and their administration, they are intruding and controlling the mind of a person thereby denying him of control to remain silent on questions and violating the right against self-incrimination. The right to remain silent has been laid through the Nandini Satpathy case. Narco tests are not considered reliable for the reason that they do not induce truthful statements by the people. This has been substantiated by medical evidence. The wordings of the article extend to the people who are outside court who are being forced to give evidence.

In India Narco analysis has been conducted in the investigation of crimes and they have been admitted in court. It is being used in investigation and as evidence in courts. There has been an opinion that merely producing documents of a mechanical process is not against the right of self-incrimination. If the process does not involve compelling the accused to answer for

⁴ The Code of Criminal Procedure, 1973.

⁵ Sec 161, The Code of Criminal Procedure, 1973.

⁶ Article 20, The Constitution of India, 1950.

evidence while he is in conscious state, he cannot be said to be incriminating himself of the crime. This has been followed by decisions that admit the value of Narco evidence in the course of investigation.



ADVANTAGES AND DISADVANTAGES OF NARCO

The narco analysis test has various advantages and disadvantages. The test has been debated across the world in the courts and has been subjected to various scrutiny and criticism. There is a constant criticism that has developed for these cases considering that they were not giving the person his right of life and personal silence. This has also been reiterated in various writings where the authors and the criminal scholars have been appreciative of the test in the scientifically advanced world. This can be analyzed in detail in this section. The tests considered here will include all types of scientific tests that are part of the investigative procedure. These advantages have been made prominent through the responses of the experts in these field including lawyers medical practitioners and forensic experts. The view of the police has been added in this to give substance to the issue.

ADVANTAGES

In narco test, the person is in a subconscious state of mind and resultantly answers all the questions that are posed to him. These are necessary in the cases when the crime committed is heinous and the accused needs to be questioned in the case for further information and the security of the society. The personal rights of a person can be sacrificed if the security has to be obtained in the longer run. This would include cases of terrorist attacks and threats to the security of the nation. The terrorists need to be questioned in a manner that would require the minimum time with the maximum information being obtained. This is also necessary when these terrorists pose threat to the entire global society. The answers and the information obtained by a nation can be utilized by the countries to prevent these attacks in the future. This holds value in the criminal procedure and the courts have to consider allowing this to be admitted as testimony.

The criminal system today lies in a lay state with the people suffering from crimes at a high rate with low rate of conviction. This is mostly due to the fact that there is not enough evidence that the police is able to gather during the process of investigation. This is due to the fact that the police is discouraged from using methods like narco analysis in order to convict the criminal. This is not beneficial to the society when as a fact the accused is to be convicted and cannot be convicted due to procedural and technical standards set by the courts. This procedure

would enable the criminal justice system to work efficiently if the criminals were to be subjected to these tests when they would be forced to answer the questions in the minimum time period.

The investigating agencies need to be facilitated by giving them the authority to use these technologies. The crimes committed in the times of the world are scientific and technologically advanced. The criminal is aware of the technologies and the scientific methods of committing crimes. They are given the benefit of using advancements in the field of science while committing acts harmful to the society where the investigating agencies are prevented from using. Narco and other scientific procedures will be advanced with science developments and would enable the agencies to stand at par technologically with the criminals. The police need to be given the benefit of using the scientific technologies if they are expected to work towards gathering evidence against the accused. This is not possible unless they are given the same resources that will enable them to track the method of committing the crime.

The traditional methods of gathering evidence in many cases, may not give desired information to the investigating officers. In many such cases, the police officers may even use violence to extract confession or information. This is not desirable as this is harmful to the body of the accused as well as there is always a possibility that the suspect may confess the crime even if he has not committed the same due to fear of physical violence. However, if police were to be given these technologies to extract information, they would be in a better position to extract the information without hurting the suspect. This method is scientific and does not physically harm the accused. It would provide relief to the people who have been a critique of the process. The police however should be provided an alternative to facilitate the investigation. They cannot be expected to be aloof from both the methods. There needs to be a process that would ensure that the suspect provides some information that can be used in the courts as evidence. The process turns harmful only when done in the absence of a medical practitioner and when the medicine is injected in large amounts in the body. This can be controlled if the method is done under close supervision.

The questions in the process are not the usual questions that are asked during the process of investigation. They are framed in a way that the person in a subconscious state can answer in that state. The reports of the experts and the medical practitioners provide that the answers obtained in this process are accurate to the maximum extent and the accuracy is a reason for this test to be allowed as evidence in the courts. The possibility for the person to be incriminated

in a false case is mitigated by these reports as the person is under medical condition that affects the state of mind of the person. The suspect does not have time to think and create answers in this case and is made to answer the questions in their truest form. This reduces the chance of police being accused of extracting forced confessions from the accused. Though these tests are conducted during the process of investigation, they are not directly forcing the person to confess before the police. The person is under a medication and is giving answers to questions that are posed before him. This allows people to look at the positive side of the process and to not merely argue from the self-incriminatory side of the process. The accuracy of the replies in the process has been confirmed by foreign and Indian experts and writers. This makes it a test that can be relied upon by the court without questioning the harassing the accused and the means by which the information was acquired.

If the court feels that the evidence obtained is self-incriminatory and it cannot be used as an evidence in the court there can be a situation where the report of the test is taken to corroborate the evidence rather than use it as an evidence as an individual evidence. The court needs to be open to the modes of obtaining evidence and not get carried away by the self-incriminating provision of law. The process is less cumbersome and there can be less probability of the evidence being flawed when a scientific method has been used to gather information during the process of investigation.

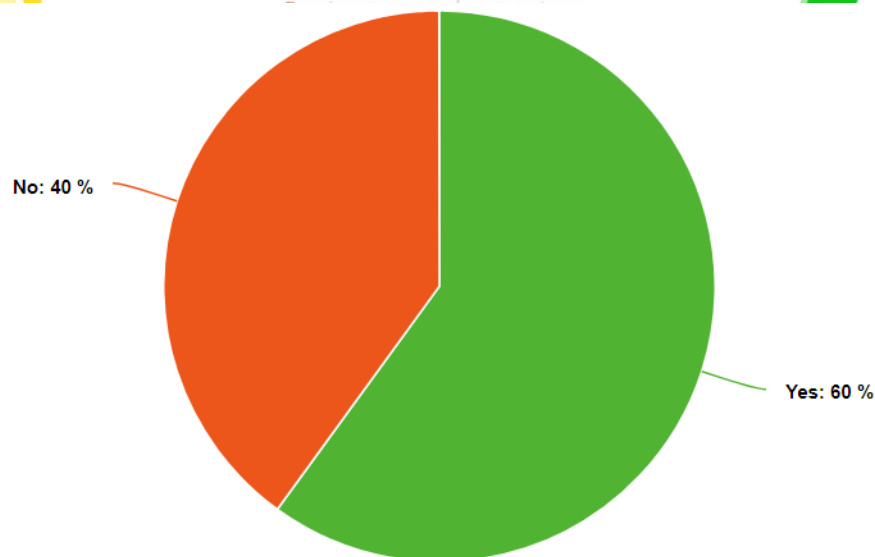


Fig. 1: Experts in favor of scientific tests in investigation

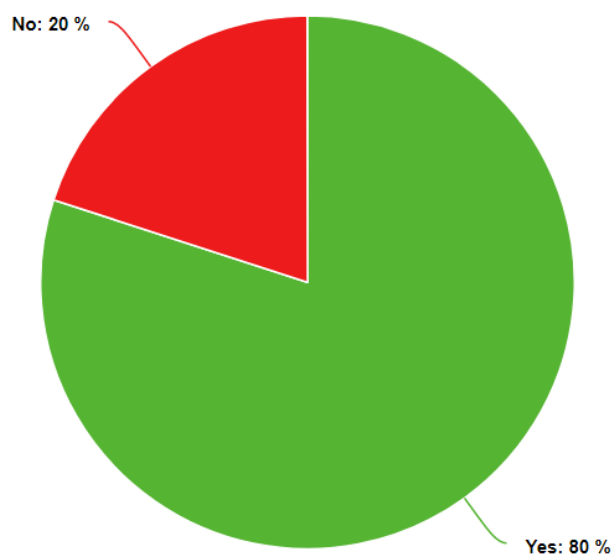


Fig. 2: Experts on the accuracy of Narco and scientific methods of gathering evidence

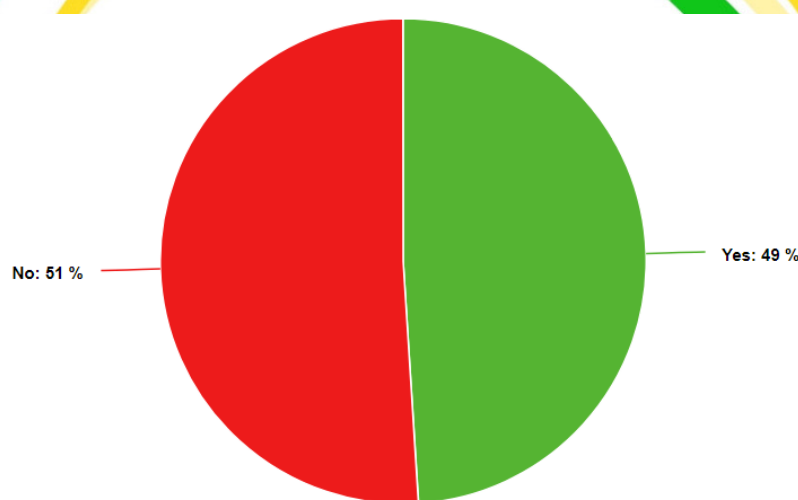


Fig. 3: Opinion on whether Narco is self-incriminating

DISADVANTAGES

The process requires that a specific chemical be injected in the body of the person. This chemical can have effects on the person based on the physiology and biological features of the person. There cannot be standard amount of chemical that can be administered to the person and it would have to vary when the person changes. This cautiousness has to be taken by the officers and the medical practitioners while using this test. The conducting of the test cannot be left in the hands of unqualified people which would subject the person on whom the test is being tried to a harmful situation. The chemical is said to be harmful if administered in the wrong proportions as per evidence form medical practitioners and forensic experts interviewed

show and they can face medical problems like risk of death in cases where the injected chemical is in excess. This is to be checked before this investigation procedure is made legal given the fact that the accused is put at a medically harmful position in these tests.

The people who are drug addicts in the cases cannot be applied in this test as it does not give effect on them. This is evidence from the forensic experts who had been circulated the survey. There is a body of experts that feel that the person is in subconscious state when they answer the questions and hence the reliability of the answers is not dependable on. They are not in a conscious state which makes it difficult for the court to rely on the evidence. This has made it inadmissible in the court as evidence. The court believes that the information given during the period of investigation is to be given in a conscious state of mind. It is the principle of criminal law that the person giving the information is to be well and fit when giving the information. The state of mind of the person is not conscious in the cases.

The process of the test is a violation of the constitutional rights in the court. They clearly provide that no person shall be compelled to be a witness against himself. The process violates the law by compelling a person.

Sec 25 of the Indian Evidence Act⁷ clearly requires that the person who is forced to give a confession before the police shall not be recorded as evidence in the court. This would require that the evidence recorded through the use of these tests by the police during the process of investigation would not be admissible as evidence when the proceedings begin. The information collected from the accused would not have evidentiary value before the court. Sec 161 of the code of procedure requires that the police can ask orally questions to the witness which he will be required to answer except those which will subject him to incrimination. The process followed would be where the person answering the questions would not be aware of the answers he is giving and the information given will be used to incriminate him.

⁷ The Indian Evidence Act, 1872.

CASES ON NARCO

There have been a number of cases to decide the validity of the Narco test and the information obtained through it. The important and the landmark cases have been listed and explained in order to substantiate the findings in the report.

SELVI VS. STATE OF KARNATAKA⁸

The three judge bench in this case decided in the validity of the narco test in the event it is conducted. They held that holding this test against the consent of an individual are against the right to life of an individual and violate the fundamental right. This requires the police to not conduct these tests in the event of a person who is arrested and the information is required to be extracted during the process of investigation. It held that

“We hold that no individual should be forcibly subjected to any of the techniques in question whether in the context of investigation in criminal cases and otherwise. Doing so would amount to an unwarranted intrusion into personal liberty.”⁹

The bench held that these techniques would violate article 20(3) of the constitution and they are required to not hold these in the absence of the consent of an individual. The tests even though conducted after consent cannot be admitted as evidence in the court of law. The police can however use the information obtained from the information revealed though these tests to find out information in order to serve the purposes. They cannot be forced to do away with the proceedings that have taken place through the information received from the person. These provisions apply when the person has consented to his giving the narco confession.

ROJO GEORGE VS. DEPUTY SUPERINTENDENT OF POLICE¹⁰

This case was landmark in terms that it held that in most cases the way and method of committing crimes was becoming technological and sophisticated. This would require the investigation to be conducted in a manner that would be equivalent to the modes of committing crimes. This could be done through the use of brain mapping and the narco and lie detector

⁸ Criminal Appeal No. 1267 of 2004.

⁹ *Supra*, note (8).

¹⁰ 2006 (2) KLT 197.

tests. This is not a viable argument to be presented in the court. The reasoning given is similar to the fact that if a person has committed a crime they would find out information by using techniques that are not lawful in the process of investigation. This could have been presented in a logical presentation when the court said that in order to read the mind of the individual while committing the crime it was necessary that new techniques like the narco are used as the conventional practices of investigating would not work on the criminals when they are investigated in the process.

MP SHARMA V. SATISH CHANDRA¹¹

This was a landmark case which held that the article 20(3) of the Indian constitution on the witness appearance and self-incrimination is debatable to the extent that the witness in the courtroom is the limit to which the article extends. The article does not cover a person who does not make presence in the courtroom. This has been a question of debate in the Kathi Kalu¹² case where the court held that the word witness also covers the persons outside courtrooms. The word that the article uses are “to be a witness” and not “to appear as witness”. This would cover people who are outside the courtroom and are providing information and appearing as witness. This is to be cautious that the police should not use force to extract information from the accused and nay person summoned as witness in the process of investigation.

Nandini Satpathy¹³ leads to the case further. It has held that “No one can extract statements from the accused, who has right to silence during the course of interrogation (investigation)”. Right to silence was held as a fundamental right by the court and the sec 161(2) supported this decision of the court. The Ram Jawaya Kapoor case¹⁴ also held that the executive power cannot override the constitutional powers and they must be struck down as unconstitutional when they override the constitution. This would be an addition to the rulings of the court when it does not rule for narco analysis. These are not the only sides presented in the judgements. The court has also taken into consideration the other view of the investigating agencies when they find narco as a reliable evidence in the investigation. The case of Dinesh Dalmia¹⁵ held that tests like narco and brain mapping would not amount to breaking silence by force. These tests make the

¹¹ 1954 AIR 300.

¹² 1961 AIR 1808.

¹³ 1978 AIR 1025.

¹⁴ AIR 1955 SC 549.

¹⁵ Criminal Appeal 1249 of 2007.

brain subconscious which makes the witness less likely to answer the questions wrongfully and less likely to make up facts in the case.

ARUSHI MURDER CASE

The Aarushi murder case was a sensational murder case that shook the whole nation with its brutality and suspense. It involved the murder of a young teenager in her house that led the suspicion to go on her parents and the domestic help. The domestic worker was found dead on the terrace two days after her murder. This led the suspicion to shift completely on her parents. The court had however acquitted her parents for the lack of evidence. The narco test was conducted on Krishna and two other people who were involved in the house work. Their test revealed a common thing that they were drinking that night with Hemraj at the place where the murder took place at their house. They revealed that there was a scuffle with Aarushi by the other and this led them to kill Hemraj when he intervened. This point of commonality was not taken into consideration for the mere reason of narco not being admitted as evidence in the court. This could have been an important evidence in the case taking into consideration all the difficulty and obscurity the case faced. The court should not have rejected the test merely on the grounds of technicality of the law. The law laid down by the previous judgements can be changed and should be changed when the need arises. The court should take into consideration the tests and assign a value to them for taking them as evidence.¹⁶

¹⁶ A glimpse into the history of India's greatest murder mystery, THE ECONOMIC TIMES, 12 Oct, 2017, <https://economictimes.indiatimes.com/news/politics-and-nation/a-glimpse-into-the-history-of-indias-biggest-murder-mystery/found-dead-with-her-throat-slit-2008/slideshow/61049619.cms>, (last seen on 25 September, 2019).

COMPARITIVE ANALYSIS

CANADA

The use of polygraph tests in the country of Canada are illegal and the persons are not allowed to use these tests in the processes. The test was used by employers in the businesses. Despite the rulings on the illegality of the tests they are continued to be used in the country. The use of polygraph tests was made illegal through the ruling of the Supreme Court in R vs. Beland in 1987 as an evidence in court.¹⁷

USA

In 1998 through US vs. Scheffer the country made it a decision left to the individual jurisdictions where they could use the tests if they admitted it in their jurisdictions. The country continues to use these tests in the investigation of crimes and by state troopers and paramedics and firefighters.¹⁸

AUSTRALIA

The High Court of Australia has not yet considered the use of polygraph tests in its country. In New South Wales the court has rejected the use if polygraph test to be admitted as evidence. This has been made illegal through the lie detector act of 1983. The court has borrowed from the Canadian judgements and has reaffirmed the same proposition in its jurisdiction. It is illegal to use it in any form for granting insurances and employment.¹⁹

ISRAEL

In Israel the courts have refused to rely on the testimony of lie detector tests on the ground that they are not a reliable evidence. If the person has entered into contract for the test the court will honor the contract and take it as an evidence. This was laid down through Menora Insurance vs Jacob Sdovnic. The courts do not take lie detector tests as evidence.²⁰

¹⁷ ADMISSIBILITY OF SCIENTIFIC EVIDENCE, https://shodhganga.inflibnet.ac.in/bitstream/10603/102549/10/10_chapter%203.pdf, (last seen on 25 September, 2019).

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Ibid.

RECOMMENDATIONS

The Indian judiciary has been reluctant in administering the scientific tests in the courts. They have rejected the value of these tests on merely technical grounds of constitutional rights and the fundamental rights of a citizen. The words of the document and the criminal manuals have been read to give the judgements that do not allow narco and other scientific tests to be used as evidence in the court of law. The police should be allowed to use these tests for the purposes of investigation of criminal cases. The crimes these days are becoming increasingly technical. The criminals have the source of knowledge and the knowledge of sciences that the investigating agencies by the mere reason of court orders are missing out on. The courts have increasingly become distanced from taking into consideration the value of narco analysis tests.

They have given extreme judgements in which the tests are completely unprovided for. The court should have given a balanced view that takes into consideration the beneficial and the non-beneficial points of the scientific tests. It is accepted that the tests can be negatively affecting the accused and the witness and these can harm the body of the person if not conducted carefully. The most strengthened reasoning of the courts in the discarding of these tests is the contradiction to the constitutional values of self-incrimination and right to life and liberty of an individual. These cannot be discarded. However, there are also beneficial effects of these tests. They have high rate of accuracy and success as proven by various organizations across the country and the globe. They can be used in cases where the criminal is involved in an offence that poses threat to the country and the citizens at a large scale. It is not wise to not use these tests for the sole reason of technical interpretation when lives of people can be saved by the conducting of these tests. It is necessary to use the technology and the advancement in the scientific field to the benefit of the investigating agencies.

The author would like to question why the process is still being restricted to suspects and the witnesses. The process should be used in counter on the complainant and the investigating agencies if needed. The complainant in serious cases like rape would be forced to answer truly all the questions over how the accused committed the offence and this would be a corroboration of evidence when compared with the narco statement of the accused. This would make it easier for judges to believe the statement made by the suspect in the scientific tests. It is important to be fair in a criminal trial. In the Indian way of trial though the complainant is given more protection than the accused in most cases. This is not wrong. However, in serious cases in order

to ensure parity and the firmness of evidence it would do no harm if the complainant is questioned to the same extent as the suspect. This will be faced with harsh criticism providing the reasoning that the defendant should not be harassed further when they have faced the severity of the crime in the past. This test however will not be questioning the person directly. It would allow the person to provide the answers in a subconscious state of mind. We also need to think about the solution to the problem of registration of false cases when this alternative is proposed. It would enable to root out the problems of fake cases in the stage of investigation. This would further save the time of the judiciary.

The tests have been criticized as they pose a threat to the physical body of the person if the drug is administered in the wrong proportion. This problem is however technical. It does not provide any firm ground to reject the method. Any process for that matter can have shortcomings as these. The judge can deliver a wrong judgement. This does not mean that the judges should stop giving judgements and the people should stop going to courts. The medical examination of the victim can be conducted in a wrongful manner that weakens the case against the accuses. This does not mean that medical examination as a provision should be removed from the code. What is required is to find a solution to these problems. They are to be amended not discarded. The scientific methods of investigation are new to this country and they would take time before they are administered flawlessly. For this there needs to be a beginning. Unless their use is started it cannot be used in further investigations. Initially their administration should be made under the supervision of forensic experts. The questions should be asked by the forensic and medical experts to avoid exploitation by the investigating agencies. The police should be a guiding factor in the process where the information to be extracted is given to the experts. They should be left to frame the questions and gather answers from the suspect.

It has been recommended by the experts that the process should only be used in the cases of terrorism and naxalism that pose threat to the society. They should be used as the last resort when the police cannot gather evidence from any other means than scientific process. This evidence can be corroborated with the facts and statements gathered from the investigation to prove their accuracy in courts. The investigating authorities should be careful and cautious of the process. It has been recommended that the process be conducted in a controlled setting where the questions are posed by the doctors and medical experts. The process should be conducted in the presence of lawyers and a member from the family if there is a need. This would ensure that like the other processes and provisions under the code this process is conducted in a controlled setting reducing chance of misuse by the authorities. It has also been

recorded that the tests are not in violation of the right of self-incrimination. This is the case when the tests are conducted with the consent of the accused and the suspect. When he gives consent to the process he is no more under the purview of self-incrimination. This can be another recommendation where the process is conducted with the consent of the suspect. The refusal of the suspect to consent to this process would mitigate the impact of his arguments in the court. There should be a reasonable criterion for him to negate the tests without which he court will suspect him for not giving the consent to the tests. In the time of cases where the courts have considered gathering of hair strands and blood samples and voice samples as not self-incriminatory it appears contradictory why the courts consider this process as against self-incrimination. This is to be questioned before the courts based on the reasoning it has given to allow the police to compel victims to provide samples to further the investigation.

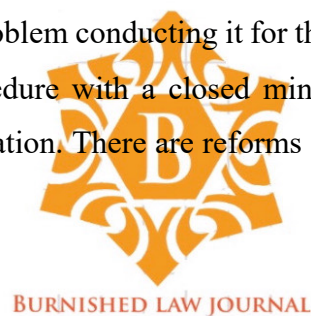


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CONCLUSION

The process of narco analysis has various facets to it. The experts however that have written on this subject have been critical of this process without considering the positives of it. The method can be a huge contribution to the criminal justice system as it stands today. With advancement in science and the criminal becoming increasingly complacent on the laxity of the justice system this method would bring the exact positive change that the country needs. The author agrees that there are flaws with the system and there needs to be a tried and tested method before it is used however unless we give it a chance there can be no change offered. It has to be realized that the flaws can be overlooked if the all the expert minds come together and provide suggestions of reform to the process.

The project has answered the research questions in the course of the research. The process on the face of it violates the provision of self incrimination however of there are stricter provisions to conduct it there should be no problem conducting it for the benefit of the society. The courts have approached the whole procedure with a closed mind and they have not accepted the process to be used during investigation. There are reforms suggested to the process to make it conducive and acceptable.



APPENDIX

1. What are your views on Narco and scientific methods of investigation?
2. Should narco be allowed to be used by investigating agencies?
3. Is narco self-incriminating?
4. What are the offences when narco should be allowed?
5. What is the accuracy of narco and scientific process results?
6. Should narco be used on other bodies like the investigating agencies and the complainant?
7. What are your views on making scientific methods of investigation balanced in terms of investigation and rights of the individual?



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