

Polygraph tests & Narco Test

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In news— Days after a Delhi court agreed to a narco test, the Delhi Police approached a court to conduct a polygraph test on Aaftab Poonawala, suspected of killing his partner Shraddha Walkar.

What is a polygraph test?

- A polygraph test is **based on the assumption that physiological responses** (heartbeat, changes in breathing, sweating, etc.) **triggered when a person is lying are different from what they would be otherwise.**
- **Instruments like cardio-cuffs or sensitive electrodes are attached to the person,** and variables such as blood pressure, pulse, blood flow, etc., are measured as questions are put to them.
- A **numerical value is assigned to each response** to conclude whether the person is telling the truth, is deceiving, or is uncertain.
- A polygraph test **does not involved injecting drugs** into the body,
- A **test such as this is said to have been first done in the 19th century by the Italian criminologist Cesare Lombroso,** who used a machine to measure changes in the blood pressure of criminal suspects during interrogation.
- Similar devices were subsequently created by the American psychologist William Marston in 1914, and by the California police officer John Larson in 1921.
- **Neither polygraph tests nor narco tests have been proven scientifically to have a 100% success rate,** and remain contentious in the medical field as well.
- However, recently, investigating agencies have sought to employ these tests in investigation, and they are sometimes seen as being a “softer alternative” to

torture or 'third degree' to extract the truth from suspects.

Are the results of these tests admissible as evidence?

- **The results of the tests cannot be considered to be "confessions".**
- However, **any information or material** subsequently discovered with the help of such a voluntarily-taken test **can be admitted as evidence**, the Supreme Court said, in **'Selvi & Ors vs State of Karnataka & Anr' (2010)**.
- Thus, if an accused reveals the location of a murder weapon in the course of the test, and police later find the weapon at that location, **the statement of the accused will not be evidence, but the weapon will be.**

What is Narco test?

- **In a 'narco' or narcoanalysis test, a drug called sodium pentothal is injected into the body of the accused**, which transports them to a hypnotic or sedated state, in which their imagination is neutralised.
- **In this hypnotic state, the accused is understood as being incapable of lying**, and is expected to divulge information that is true.
- **Sodium pentothal or sodium thiopental is a fast-acting, short duration anaesthetic**, which is used in larger doses to sedate patients during surgery. **It belongs to the barbiturate class of drugs** that act on the central nervous system as depressants.
- Because **the drug is believed to weaken the subject's resolve to lie**, it is sometimes referred to as a "truth serum", and is said to have been **used by intelligence operatives during World War II.**

Can these tests be administered to anyone?

- Some conditions need to be satisfied. The Supreme Court

Bench comprising then **Chief Justice of India K G Balakrishnan and Justices R V Raveendran and J M Panchal** in the 2010 case ruled that no lie detector tests should be administered “except on the basis of consent of the accused”.

- **Those who volunteer must have access to a lawyer,** and have the physical, emotional, and legal implications of the test explained to them by police and the lawyer, the Bench said.
- It said that the **‘Guidelines for the Administration of Polygraph Test on an Accused’ published by the National Human Rights Commission in 2000, must be strictly followed.**
- The subject’s consent should be recorded before a judicial magistrate.