

News

The US judge declines to remove the Adani charge right away, citing insufficient justification from the DoJ.



The Department of Justice has been asked to provide an explanation for its **decision to drop the criminal prosecution against Gautam Adani, Sagar Adani, and other individuals.**

DOJ and Gautam Adani

After concluding that the government's justification for dropping criminal charges

against Gautam Adani, Sagar Adani, and others in the purported \$250 million bribery case was "terse, bland, and conclusory," a federal court in the United States declined to permit the Department of Justice (DoJ) to do so immediately. **[United States v. Gautam S. Adani et al.]** Judge Nicholas G. Garaufis of the US District Court for the Eastern District of New York ordered the Department of Justice to provide justification for its choice to request that the indictment against each of the eight accused be dismissed.

Nicholas Garaufis, Senior Judge

According to the Court, the government must give adequate factual support for each of its reasons for requesting that the indictment be dismissed with prejudice.

The judge stated, "In this case, the Government's succinct, uninteresting, and conclusive statement gives the court neither a sufficient basis to reach any conclusion nor the opportunity to conduct any analysis of the Government's request for dismissal."

It further stated that the government must specify the grounds for a move to dismiss under Rule 48(a) of the Federal Rules of Criminal Procedure. The law, which requires prosecutors to provide adequate justification for the dismissal of an indictment, was referred to as a "sunshine provision." As a result, the government has not fulfilled its duty to provide sufficient justification and evidence to support the indictment's dismissal. Furthermore, the court is unable to carry out its own duty to use "sound judicial discretion in considering [the Government's] request for dismissal" without this extra information.

The deadline for the DoJ to submit its justification is July 13, 2026.

The US government filed a Rule 48(a) motion with the Court, which resulted in the order. The Department of Justice stated in its May 18 filing that it had reviewed the matter and decided not to invest additional resources in the criminal charges against the individual defendants.

A 12 gigawatt solar power plant was the subject of the indictment. In order to make the project and associated power purchase agreements financially feasible, the Solar Energy Corporation of India required state electrical distribution companies to sign into power supply agreements, according to the prior indictment.

Gautam Adani, Sagar Adani, Vneet Jaain, Ranjit Gupta, and others were accused in the indictment of coming up with a scheme to buy off Indian state government officials in order to start the project. Bribes totaling ₹2,029 crore, or roughly \$265 million, were allegedly promised to state electricity distribution company executives. Of this, officials in Andhra Pradesh were purportedly given ₹1,750 crore to purchase seven gigawatts of solar electricity.

Adani businesses obtained more than \$3 billion Additionally, it was claimed that while hiding the purported bribery scheme, Adani issued \$750 million in senior secured notes in September 2021, with US-based investors purchasing around 25% of the bond. Securities fraud, wire fraud, conspiracy to violate the Foreign Corrupt Practices Act, and conspiracy to obstruct justice were the charges brought against the defendants.

The accusations had previously been rejected as unfounded by the Adani Group. Principal Associate Deputy Attorney General R Trent McCotter and US Attorney Joseph Nocella Jr. signed the DOJ's motion. Sullivan & Cromwell LLP co-chair Robert J. Giuffra Jr. and partner James McDonald represent Gautam Adani, Sagar Adani, and Vneet Jaain in the proceedings. By the way, US President Donald Trump's personal attorney is Robert Giuffra.

James McDonald and Robert J. Giuffra Jr. of Sullivan and Cromwell Adani was also represented by Andrey Spektor (Norton Rose Fulbright) and Timothy Sini (Nixon Peabody). Paul Schoeman of HSF Kramer (New York) represented Ranjit Gupta.

Stephen Best of Brown Rudnick (Washington, DC) represented Cyril Cabanes. Winston Paes of Debevoise & Plimpton (New York) represented Saurabh Agarwal.

White & Case's Michael Kendall (Boston) and Aditya Singh (Singapore) represented Deepak Malhotra. Iris Bennett and Patrick Linehan of Steptoe (Washington, DC) represented Rupesh Agarwal.