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U.S. Attorney Announces Charges In Connection With Foiled Plot To Assassinate U.S. Citizen In New York City

8–10 minutes

Damian Williams, the United States Attorney for the Southern District of New York, Matthew G. Olsen, the Assistant Attorney General of the Justice Department’s National Security Division, Anne Milgram, the Administrator of the Drug Enforcement Administration (“DEA”), and James Smith, the Assistant Director in Charge of the New York Field Office of the Federal Bureau of Investigation (“FBI”), announced the filing of murder-for-hire charges against Indian national NIKHIL GUPTA, a/k/a “Nick,” in connection with his participation in a foiled plot to assassinate a U.S. citizen in New York City. The charges are contained in a Superseding Indictment unsealed today in the U.S. District Court for the Southern District of New York. The case is pending before U.S. District Judge Victor Marrero. Czech authorities arrested and detained GUPTA on June 30, 2023, pursuant to the bilateral extradition treaty between the United States and the Czech Republic.

U.S. Attorney Damian Williams said: “As alleged, the defendant conspired from India to assassinate, right here in New York City, a U.S. citizen of Indian origin who has publicly advocated for the establishment of a sovereign state for Sikhs, an ethnoreligious minority group in India. I am grateful that my Office and our law enforcement partners neutralized this deadly and outrageous threat. We will not tolerate efforts to assassinate U.S. citizens on U.S. soil, and stand ready to investigate, thwart, and prosecute anyone who seeks to harm and silence Americans here or abroad.”

Assistant Attorney General Matthew G. Olsen said: “The dedicated law enforcement agents and prosecutors in this case foiled and exposed a dangerous plot to assassinate a U.S. citizen on U.S. soil. The Department of Justice will be relentless in using the full reach of our authorities to pursue accountability for lethal plotting emanating from overseas.”

DEA Administrator Anne Milgram said: “When a foreign government employee allegedly committed the brazen act of

recruiting an international narcotics trafficker to murder a U.S. citizen on U.S. soil, DEA was there to stop the plot. I want to recognize the outstanding work of the DEA New York Field Division for their leadership in this investigation, the prosecution team at the U.S. Attorney’s Office in Manhattan for pursuing today’s indictment, and our federal and global law enforcement partners for their assistance.”

FBI Assistant Director in Charge James Smith said: “Murder for hire is a crime out of a movie, but the plot in this case was all too real. The excellent teamwork of the law enforcement partners in this case exposed this brazen conspiracy and is why Nikhil Gupta finds himself in jail waiting to answer to these charges.”

As alleged in the Superseding Indictment and other public court documents:[\[1\]](#)

Earlier this year, an Indian government employee (“CC-1”), working together with others, including GUPTA, in India and elsewhere, directed a plot to assassinate on U.S. soil an attorney and political activist who is a U.S. citizen of Indian origin residing in New York City (the “Victim”).

GUPTA is an Indian national who resides in India, is an associate of CC-1, and has described his involvement in international narcotics and weapons trafficking in his communications with CC-1 and others. CC-1 is an Indian government agency employee who has variously described himself as a “Senior Field Officer” with responsibilities in “Security Management” and “Intelligence,” and who also has referenced previously serving in India’s Central Reserve Police Force and receiving “officer[] training” in “battle craft” and “weapons.” CC-1 directed the assassination plot from India.

In or about May 2023, CC-1 recruited GUPTA to orchestrate the assassination of the Victim in the United States. The Victim is a vocal critic of the Indian government and leads a U.S.-based organization that advocates for the secession of Punjab, a state in northern India that is home to a large population of Sikhs, an ethnoreligious minority group in India. The Victim has publicly called for some or all of Punjab to secede from India and establish a Sikh sovereign state called Khalistan, and the Indian government has banned the Victim and his separatist organization from India.

At CC-1’s direction, GUPTA contacted an individual whom GUPTA believed to be a criminal associate, but who was in fact a confidential source working with the DEA (the “CS”), for assistance in contracting a hitman to murder the Victim in New York City. The CS introduced GUPTA to a purported hitman, who was in fact a DEA undercover officer (the “UC”). CC-1 subsequently agreed in

dealings brokered by GUPTA to pay the UC \$100,000 to murder the Victim. On or about June 9, 2023, CC-1 and GUPTA arranged for an associate to deliver \$15,000 in cash to the UC as an advance payment for the murder. CC-1’s associate then delivered the \$15,000 to the UC in Manhattan.

In or about June 2023, in furtherance of the assassination plot, CC-1 provided GUPTA with personal information about the Victim, including the Victim’s home address in New York City, phone numbers associated with the Victim, and details about the Victim’s day-to-day conduct, which GUPTA then passed to the UC. CC-1 directed GUPTA to provide regular updates on the progress of the assassination plot, which GUPTA accomplished by forwarding to CC-1, among other things, surveillance photographs of the Victim. GUPTA directed the UC to carry out the murder as soon as possible, but GUPTA also specifically instructed the UC not to commit the murder around the time of anticipated engagements scheduled to occur in the ensuing weeks between high-level U.S. and Indian government officials.

On or about June 18, 2023, masked gunmen murdered Hardeep Singh Nijjar outside a Sikh temple in British Columbia, Canada. Nijjar was an associate of the Victim, and like the Victim, was a leader of the Sikh separatist movement and an outspoken critic of the Indian government. On or about June 19, 2023, the day after the Nijjar murder, GUPTA told the UC that Nijjar “was also the target” and “we have so many targets.” GUPTA added that, in light of Nijjar’s murder, there was “now no need to wait” on killing the Victim. On or about June 20, 2023, CC-1 sent GUPTA a news article about the Victim and messaged GUPTA, “[i]t’s [a] priority now.”

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GUPTA, 52, of India, has been charged with murder-for-hire, which carries a maximum sentence of 10 years in prison, and conspiracy to commit murder-for-hire, which carries a maximum sentence of 10 years in prison.

The maximum potential sentences in this case are prescribed by Congress and are provided here for informational purposes only, as any sentencing of the defendant will be determined by a judge.

Mr. Williams praised the outstanding investigative work of the DEA’s New York Drug Enforcement Task Force and the Counterintelligence Division of the FBI’s New York Field Office. Mr. Williams also thanked the DEA’s Special Operations Division, the DEA’s Vienna Country Office, the FBI’s Prague Country Office, the Department of Justice’s National Security Division, the Department of Justice’s Office of International Affairs, and the Czech Republic’s

National Drug Headquarters for their assistance. The DEA’s New York Drug Enforcement Task Force comprises agents and task force officers of the DEA, New York City Police Department, and the New York State Police.

This case is being handled by the Office’s National Security and International Narcotics Unit, Violent and Organized Crime Unit, and Narcotics Unit. Assistant U.S. Attorneys Camille L. Fletcher, Ashley C. Nicolas, and Alexander Li are in charge of the prosecution with assistance from Trial Attorneys Christopher Cook and Robert McCullers of the National Security Division’s Counterintelligence and Export Control Section, as well as Trial Attorney A.J. Dixon of the National Security Division’s Counterterrorism Section.

The charges contained in the Superseding Indictment are merely accusations, and the defendant is presumed innocent unless and until proven guilty.

[\[1\]](#) As the introductory phrase signifies, the entirety of the text of the Superseding Indictment and the description of the Superseding Indictment set forth herein constitute only allegations, and every fact described should be treated as an allegation.