Tycoon Says His Offer Did Not Spur U.S. to Drop Charges

By SANTUL NERKAR
and NICOLE HONG

India's wealthiest man, Gautam Adani, acknowledged on Wednesday that he had offered to invest $10 billion in the United States as part of the resolution of his criminal case, but said it ultimately played no role in the Justice Department's decision to abandon its prosecution against him.

His comments came in a legal filing ordered by a federal judge in Brooklyn, Nicholas G. Garaufis, who has raised concerns about the Justice Department's request in May to dismiss the indictment.

In a highly unusual move last week, Judge Garaufis asked Mr. Adani to say in a sworn affidavit if he was aware of "any agreement exchanging anything for the dismissal" of the charges.

Mr. Adani is represented by Robert J. Giuffra Jr., who is also a personal lawyer for President Trump. Mr. Giuffra had proposed the $10 billion investment "if that was what the D.O.J. or S.E.C. wanted," Mr. Adani wrote, referring to the Justice Department and the Securities and Exchange Commission.

Mr. Adani had been facing federal criminal and civil cases in the United States, which accused him of fraud, bribery and corruption in Indian business deals.

The New York Times previously reported that Mr. Giuffra, who is also co-chairman of the firm Sullivan & Cromwell, made the $10 billion offer in a meeting in April at the Justice Department in Washington.

In a separate filing on Wednesday, Mr. Giuffra quoted from an email he received from the Justice Department, which stated that the investment proposal did not factor into the decision to drop the case.

The offer to resolve the criminal charges "by, in part, a general proposal to invest $10 billion in the United States is categorically rejected by this office," according to the email, which was sent by Joseph Nocella Jr., the U.S. attorney for the Eastern District of New York.

M. SCOTT BRAUER FOR THE NEW YORK TIMES

Gautam Adani, India's richest man, offered to make a $10 billion energy investment in the U.S., but he says his offer did not help to resolve the charges he was facing in Federal District Court.

Wednesday's filings were the latest twist in a high-profile case that has unraveled in a peculiar way.

After prosecutors moved to dismiss the indictment against Mr. Adani and his co-defendants, Judge Garaufis pressed them to explain their justification for doing so, leading to a public and occasionally rancorous battle.

Judges have little ability to bar prosecutors from abandoning a case. And it is uncommon for judges to question defendants who are set to have their charges dropped.

But during Mr. Trump's second term, judges across the United States have increasingly probed the rationale behind such decisions. A notable example came last year, when the judge overseeing the federal corruption case against Eric Adams, then the mayor of New York City, strongly criticized the Justice Department for its reasoning in dropping the prosecution.

A spokesman for the U.S. attorney's office in Brooklyn declined to comment.

Mr. Adani, an industrial titan in India and a close ally of the nation's prime minister, Narendra Modi, was indicted in November 2024 along with seven others. The indictment said Mr. Adani paid bribes to Indian officials to secure solar energy contracts for one of his companies.

The offer from Mr. Adani's lawyers echoed a public pledge Mr. Adani had made after Mr. Trump won the 2024 election. A week before he was indicted, Mr. Adani posted on X congratulating Mr. Trump and saying that his company was committed to investing "$10 billion in U.S. energy security and resilient infrastructure projects."

In Wednesday's filing, Mr. Adani said that he was not aware of the indictment when he made the post. But by then, Bloomberg News had already reported that federal prosecutors were investigating Mr. Adani.

Compared with the case against Mr. Adams, the Justice Department has offered a more substantive basis for abandoning the prosecution against Mr. Adani, even as his offer to invest in the United States has concerned Judge Garaufis and lawmakers on Capitol Hill.

Though the bribes were said to have taken place in India, federal prosecutors had argued that Mr. Adani was subject to U.S. law because his company solicited money from American investors. But in a letter this month, Trent McCotter, a top Justice Department official, described the indictment as a "foreign case" that was outside his agency's purview.

Mr. McCotter added that he had decided to dismiss the case before Mr. Adani's investment was discussed.

In his filing on Wednesday, Mr. Giuffra noted that Mr. Adani and two of his co-defendants had submitted hundreds of pages of "law, facts, expert testimony and argument" between February and April.

On two occasions, the defense lawyers told Justice Department officials that the Adani Group would be "amenable to following through" on Mr. Adani's public pledge to invest $10 billion as part of the case's resolution, Mr. Giuffra wrote.

Mr. Adani and his nephew ultimately paid an $18 million fine to resolve the S.E.C. case, and one of his companies reached a $275 million settlement to resolve a separate investigation by the Treasury Department.

The move to dismiss the charges has led to internal discontent within the Justice Department. Mr. McCotter has accused current and former officials of acting "unethically" and leaking information to the media. Days after the decision, two prosecutors publicly withdrew from the case.