

Bureau of Democracy, Human Rights, and Labor  
U.S. Department of State  
2201 C Street NW  
Washington, DC 20520  
Via electronic delivery

15 October 2025

**Re: Urgent Update on Transnational Repression Case: Troubling Evidence Revealed in *United States v. Gupta***

Dear Mr. Jacob Mcgee,

We write to draw urgent attention to recent developments in the case concerning a foiled assassination plot, orchestrated by Indian agents, against a Sikh activist in New York. These developments carry significant implications for the safety and security of the Sikh community at large in the United States. Late last month, **U.S. prosecutors introduced new evidence in *United States v. Gupta*,<sup>1</sup> which further bolsters the already ample evidence that the Indian government's efforts to target Sikh individuals within both the U.S. and Canada are very likely state-sanctioned.**

As you are aware, the Sikh community in North America has long been concerned about transnational repression efforts by the Government of India (GOI). Since 2023, a series of alarming revelations in the United States and Canada have validated these concerns. These developments highlight an ongoing, coordinated campaign to silence Sikh activists and community members through intimidation and violence, including assassination plots orchestrated from within the Indian government.

On November 29, 2023, the U.S. Department of Justice (DOJ) unsealed its first indictment<sup>2</sup> against Nikhil Gupta, an Indian arms and narcotics trafficker, detailing his involvement in a conspiracy to assassinate a Sikh American in New York. Gupta had been instructed to time the murder in coordination with the killing of Hardeep Singh Nijjar, a Canadian Sikh activist, and Indian Prime Minister Narendra Modi's state visit to the United States in June 2023. Gupta's communications also revealed that he was involved in at least three additional assassination plots in addition to the foiled assassination plot in New York. Then,

---

<sup>1</sup> *United States v. Gupta*, 1:23-cr-00289, Motion in Limine (S.D.N.Y. Sep 22, 2025), ECF No. 109,

<https://storage.courtlistener.com/recap/gov.uscourts.nysd.600440/gov.uscourts.nysd.600440.109.0.pdf>.

<sup>2</sup> U.S. Department of Justice. "U.S. Attorney Announces Charges Justice Department Announces Charges in Connection with Foiled Plot to Assassinate U.S. Citizen in New York City." *U.S. Attorney's Office, Southern District of New York*, November 29, 2023, <https://www.justice.gov/archives/opa/pr/justice-department-announces-charges-connection-foiled-plot-assassinate-us-citizen-new>.



on October 17, 2024, the DOJ unsealed a superseding indictment<sup>3</sup> formally charging Vikash Yadav, a former GOI employee—specifically an intelligence officer of India’s foreign intelligence agency, the Research and Analysis Wing (RAW)—for allegedly directing this assassination plot. The specifics of the indictment revealed that Yadav both seemed to have coordinated with individuals in New York tracking the intended victim and reported to a higher-level figure, referred to only as “boss,” who appeared to be overseeing the operation and may have been a senior Indian government official. These findings echoed reporting by *The Washington Post*, which stated that U.S. intelligence agencies at the time had assessed that RAW chief Samant Goel authorized the New York assassination plot while high-ranking Indian officials like National Security Advisor Ajit Doval were probably aware of the plan.<sup>4</sup>

For the Sikh community in the United States, the DOJ's indictments represented a welcome step toward acknowledging and addressing Indian transnational repression. However, they also highlighted a disturbing reality: **A foreign government is actively targeting members of our community for assassination, the individuals involved in these plots remain at large<sup>5</sup> and they continue to pose a serious threat to our safety.** These concerns have now been underscored by the ongoing investigation of U.S. federal prosecutors into the 2023 assassination plot, which has revealed further disturbing evidence of a serious escalation in campaigns of transnational repression led by the GOI.

Last month, this new evidence, as a motion in limine, was filed by U.S. federal prosecutors in the *United States v. Gupta* case regarding the foiled assassination plot in New York.<sup>6</sup> The newly filed motion reveals that Officer Yadav promised to supply a large shipment of “assault rifles and pistols” and “arrange for the clearance of an airplane to transport the weapons from India” to Gupta, should the New York assassination have been successful.<sup>7</sup> After the assassination, Gupta planned to sell the firearms he obtained from Yadav with a presumed narcotics trafficker—who was actually an undercover DEA agent—in exchange for cocaine. The evidence filed by federal prosecutors presents two critical findings: First, **the approval for high-level clearance for arms trafficking through Indian aircrafts and passage through U.S. Customs and airspace would certainly necessitate authorization from senior Indian government officials.** Second, such affairs potentially implicate high-ranking RAW officials who were involved in this plot with thereby facilitating international firearms and narcotics trafficking.

---

<sup>3</sup> *United States v. Vikash Yadav and Nikhil Gupta*, S2 23 Cr. 289 (VM), Sealed Superseding Indictment, <https://www.justice.gov/opa/media/1373831/dl>.

<sup>4</sup> Greg Miller & Gerry Shih, “An Assassination Plot on American Soil Reveals a Darker Side of Modi’s India,” *The Washington Post*, Apr. 29, 2024, <https://www.washingtonpost.com/world/2024/04/29/india-assassination-raw-sikhs-modi/>.

<sup>5</sup> Federal Bureau of Investigation. (n.d.). Vikash Yadav. <https://www.fbi.gov/wanted/counterintelligence/vikash-yadav>.

<sup>6</sup> *United States v. Gupta*, 1:23-cr-00289, Motion in Limine (S.D.N.Y. Sep 22, 2025), ECF No. 109, <https://storage.courtlistener.com/recap/gov.uscourts.nysd.600440/gov.uscourts.nysd.600440.109.0.pdf>.

<sup>7</sup> *Gupta*, 1:23-cr-00289, ECF No. 109, p. 34.



A recent addition to the prosecutor's motion also introduces, for the first time, transcripts and descriptions of recorded conversations between Gupta, the confidential source referred to as "CS" (who initially alerted the DEA about the alleged plot), the undercover federal agent identified as "UC," and communications with Officer Yadav. One of the transcripts reveals Gupta's confidence in securing U.S. Customs clearance for the firearms shipment. He reportedly told CS, "I will load your toys, no problem. No checking, nothing. Your plane will come. We will put all the toys, what you want in your airplane."<sup>8</sup> The prosecutors allege that the term, "toys," refers to firearms. Toward the end of the conversation, Gupta also stated, "Everything depends on this first job trial."<sup>9</sup> According to the prosecutors, Gupta had been told by Officer Yadav that his assistance would depend on "how well the 'task at hand' was executed," referring to the intended victim's murder. The prosecutors argue that these communications clearly suggest Officer Yadav promised Gupta he would illegally supply the weapons shipment once the New York assassination was successfully carried out.<sup>10</sup>

Additionally, evidence presented in the filing confirms that Hardeep Singh Nijjar's murder was part of a larger, coordinated campaign targeting Sikh dissidents in North America, with at least one target identified in California and additional targets identified in Canada. Prosecutors had already stated in previous unsealed indictments that Gupta and Yadav were not only focused on New York, as their communications included the mention of "so many targets" for potential assassinations. Confirming the findings of past indictments, federal prosecutors underlined at multiple points in their new evidence that the Nijjar murder was "part of a larger plot to carry out murders, including killings of members of the Sikh separatist movement."<sup>11</sup> **Prosecutors underlined that "this evidence places the anticipated killing of the Victim in its true context: as one of a series of murders that the conspirators planned of Sikh dissidents like Nijjar."**<sup>12</sup> Communications obtained by federal prosecutors allege that Nijjar was a target assigned by Yadav's RAW team to a group of hitmen in Canada, similar to how hitmen were contacted for the foiled New York assassination. Gupta, working alongside Officer Yadav, referred to Nijjar's killing as "#4/#3 on a list of targets" in Canada, implying that additional high-priority killings of Sikh Americans and Sikh Canadians were planned in both the U.S. and Canada.<sup>13</sup> **Highlighting the scope of the intended assassination campaign, the prosecutors included in their motion that "Gupta urged the UC to complete the 'job' and promised the UC so much work that Gupta joked the UC would beg for a break."**<sup>14</sup>

---

<sup>8</sup> *United States v. Gupta*, 1:23-cr-00289, (S.D.N.Y. Oct 6, 2025), ECF No. 119, p. 8.

<sup>9</sup> *Ibid.*

<sup>10</sup> Evan Dyer, "Court filing in U.S. murder plot trial sheds new light on killing of B.C. Sikh activist," *CBC News*, Oct. 9, 2025, <https://www.cbc.ca/news/politics/pannun-nijjar-murder-plot-9.6932049>.

<sup>11</sup> *United States v. Gupta*, 1:23-cr-00289, Motion in Limine (S.D.N.Y. Sep 22, 2025), ECF No. 109, p. 22, <https://storage.courtlistener.com/recap/gov.uscourts.nysd.600440/gov.uscourts.nysd.600440.109.0.pdf>.

<sup>12</sup> *Gupta*, 1:23-cr-00289, ECF No. 109, p. 28.

<sup>13</sup> *Gupta*, 1:23-cr-00289, ECF No. 109, p. 28.

<sup>14</sup> *United States v. Gupta*, 1:23-cr-00289, (S.D.N.Y. Oct 6, 2025), ECF No. 119, p. 8.



Finally, the court filing also reveals that the U.S. government intends to argue that the GOI was involved in these planned and actual killings and has a motive to target Sikh separatists. As part of the proceedings, federal prosecutors are arranging expert testimony from UK-based Professor Nitasha Kaul, who will explain to the jury, among other things, that "RAW's mission includes the suppression of Sikh separatists."<sup>15</sup> Professor Kaul will outline RAW's methods, which include "its use of criminal proxies to conduct operations... more recently in Western countries."<sup>16</sup> This testimony is expected to sharply contrast with the Modi government's official position, which has sought to portray the foiled New York assassination plot as an unauthorized operation by a rogue agent and deny any involvement in the killing of Nijjar.<sup>17</sup>

Public reporting had indicated that negotiations between the Biden administration and the Modi government in October 2024 led to an agreement that Yadav would no longer work for India, with Indian reporting indicating the U.S. agreed not to prosecute him.<sup>18</sup> **By portraying Yadav as a rogue actor, India is attempting to prevent investigations from reaching higher levels, despite abovementioned assessments and reports implicating RAW's then-director Samant Goel and other senior individuals.**<sup>19</sup> In contrast, Canadian investigators<sup>20</sup> and U.S. intelligence assessments<sup>21</sup> have underlined that the assassination campaign likely had been sanctioned by the highest levels of the Indian government. The individuals still at large in this case—both named and unnamed in the indictments—continue to pose a threat to the Sikh community in the United States. **In light of new evidence filed by U.S. prosecutors, we urge the pursuit, extradition, and prosecution of Vikash Yadav for his role in the North America-wide assassination campaign targeting Sikh activists.**<sup>22</sup>

We urge the State Department to carefully consider the gravity of these developments. This new evidence reinforces the importance of not only continued vigilance regarding the threat of transnational repression, particularly against members of the Sikh community in the United States, but also the urgent need for further investigations and higher-order

---

<sup>15</sup> *United States v. Gupta*, 1:23-cr-00289, (S.D.N.Y. Sep 22, 2025), ECF No. 110, p. 3,

<https://storage.courtlistener.com/recap/gov.uscourts.nysd.600440/gov.uscourts.nysd.600440.110.1.pdf>.

<sup>16</sup> *Gupta*, 1:23-cr-00289, ECF No. 119, p. 15.

<sup>17</sup> Sudhi Ranjan Sen and Dan Strumpf, "US Prosecutors Allege India Agent Also Plotted Murder in Pakistan or Nepal," *Bloomberg News*, Sep. 26, 2025, <https://www.bloomberg.com/news/articles/2025-09-26/us-prosecutors-allege-india-agent-also-plotted-murder-in-pakistan-or-nepal>.

<sup>18</sup> Evan Dyer, "Court filing in U.S. murder plot trial sheds new light on killing of B.C. Sikh activist," *CBC News*, Oct. 9, 2025, <https://www.cbc.ca/news/politics/pannun-nijjar-murder-plot-9.6932049>.

<sup>19</sup> Ellen Nakashima and Greg Miller, "U.S. charges former Indian spy linked to murder plot in New York," *The Washington Post*, Oct. 17, 2024, <https://www.washingtonpost.com/national-security/2024/10/17/india-assassination-plot-doj-charges/>.

<sup>20</sup> Catharine Tunney, "Member of Modi's inner circle behind Canadian criminal plot, official says," *CBC News*, Oct. 29 2024, <https://www.cbc.ca/news/politics/india-murder-extortion-canada-csis-rcmp-1.7365853>.

<sup>21</sup> The Wire Staff, "New Report Names Indian Official Accused of Orchestrating Pannun Murder Plot," *The Wire*, Apr. 29, 2024, <https://thewire.in/diplomacy/new-report-names-indian-official-pannun-murder-plot-raw>.

<sup>22</sup> Federal Bureau of Investigation. (n.d.). Vikash Yadav. <https://www.fbi.gov/wanted/counterintelligence/vikash-yadav>.



diplomatic and economic consequences for the GOI to deter such threats moving forward. We continue to believe that it is essential that the U.S. government remain fully engaged in addressing this issue at both the diplomatic and law enforcement levels.

We appreciate your attention to this urgent matter and are available for any further clarification or discussion.

Sincerely,



Mannirmal Kaur  
Senior Federal Policy Manager  
The Sikh Coalition



Harjot Singh  
Federal Policy Manager  
The Sikh Coalition

