Fatwa no. 963

Q: My wife was pregnant and went to stay for some duration with her family. I felt that she stayed there long enough. Therefore, I headed to her place and asked her to come home back saying: "Come home with me or otherwise I will divorce you." Nevertheless, his wife did not return home with him. Next morning, I revoked my claim and restored marriage and this was the first time to divorce her. Is this resumption of marriage valid?

A: If the reality is as the questioner mentioned, he thus broke his oath and one divorce took place. However, since the questioner had not divorced his wife before; the divorce in question is a revocable one, i.e., the husband may revoke the divorce during `Iddah (woman's prescribed waiting period after divorce or widowhood) of his wife. As the questioner mentioned that he revoked the divorce the morning that followed the night of the divorce, his revocation is valid.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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