



TALEEM UL QURAN

Document – TALAQ AUR USKE

HAQEEQI EHKAAMAT

TEAM TAYYABA FATIMA

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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

TALAQ AUR USKE HAQEEQI EHKAAMAT

لَطَّلَقُ مَرَّتَانِ ۖ فَاِمْسَاكُ بِمَعْرُوفٍ اَوْ تَسْرِيحُ بِاِحْسَانٍ ۗ وَلَا يَحِلُّ لَكُمْ اَنْ تَاْخُذُوْا مِمَّا ءَاتَيْتُمُوْهُنَّ شَيْئًا اِلَّا اَنْ يَخَافَا اَلَّا يُقِيْمَا حُدُوْدَ اللّٰهِ ۗ فَاِنْ خِفْتُمْ اَلَّا يُقِيْمَا حُدُوْدَ اللّٰهِ فَلَا جُنَاحَ عَلَيْهِمَا فِيمَا افْتَدَتْ بِهٖ ۗ تِلْكَ حُدُوْدُ اللّٰهِ فَلَا تَعْتَدُوْهَا ۗ وَمَنْ يَتَعَدَّ حُدُوْدَ اللّٰهِ فَاُولٰٓئِكَ هُمُ الظّٰلِمُوْنَ

Surah Al Baqarah 229

(Talaq do martaba hai phir ya toh acche tareeqe se rokna hai ya ihsaan k saath chod dena hai)

LAGHVI MAANE

Choodna azaad karna.

SHARAE MAANE

Nikah k girah ko mukammil taur par khoodna..(dissolution of bond of marriage)

Nikah ki paabandi se wife aur husband mein jo taaluuq paida hota hai isse khatam karna

Agar husband wife mein allah na kare aise halaat paida hoojaye jin me nibhana

mushkil hoojaye toh iss surat mein aurat se separation ka ahsan tareeqa.

TALAQ KAB DESAKTE HAI

Halaanke ise jayez amal mai sabse napasandida kaha aur samjha jata hai, lekin halat ke hisaab se ye wajib bhi hojayega.

Hadees: Allah ke nazdeeq halaal kaam me sabse napasandida talaq hai (ye hadees zaeef hai)

Agar ye hadees sahi hoti at certain times talaq wajib nahi hota.

Ye hadees ko saamne rakhte huwe shadi ko bilkul nahi todi jati hai, log shadi ko thodne se darte hai aur sari zindagi ek physical and mental ki takleef mai guzaardete hai

Allah tala ne haalaat ke hisaab se talaq ki ijazat di hy.. jaisa ke

Mubah (permissible): Aurat ke akhlaaq theek na ho.

Agar wo aurat us shohar ke saath continue kare toh shohar ko nuqsan hai aur nikah ke maqasid hasil nahi horahi hai tab talaq allowed hai.

Eg: Aurat namaz nahi padri ho, shohar ki itaat nahi karri ho, ghar mai fasad karri ho.



Makrooh (disliked/pasandida nahi hai): Halat durust ho.

Halath theek hai talaq dene ki koi zarurath nahi hai lekin kuch bekar ke reasons hai

Eg: Ladki ke bhai se shohar ka jagadha, saas aur bahu ke beech ladai.

Mustahab (desirable): Aurat ko nuksan ho

Nikah ka maqasid pura nahi ho raha hai.

Eg: shohar biwi ko bilkul pasand nahi karta, mohabbat nahi karta.

Wajib (obligatory): Aurat deeni aitabar se kamzor hai.

Eg: agar aurat maal ki aur ghar ki hifazat na kare.

TALAQ KA HAQ KIS KA HAI

Hadees: Talaq wahi de sakte hai jisne aurat se nikah kiya (Ibn Majah)

Al Baqarah 229: To rok lo unko bhale tareeke se ya ruksat kardo saath ihsan ke.

1. Talaq ka haq shohar ko hai

2. Ghair aqil ki di hui talaq nahi hoti

3. Dara dhamka kar talaq liya jaye to nahi hota.

4. Talaq wajib ho jaye aur shohar dene razi nahi hai toh jabran dilwaya jaa sakta hai.

5. Mazaq aur gusse me bhi talaq ho jayega.

TALAQ KE ALFAAZ

- * Direct alfaaz ho to talaq hojayega.
- * Indirect words hy aur usme niyyat ho to hojayega.
- * Written me hy aur usme niyyat hy to hojayega .
- * Alfaaz shohar ko khud bolna hai.
- * Shohar ne koi wakil muqarrar kiya ho to uske zariye bola ja sakta hai.
- * Dil me niyyat hai lekin alfaaz se ya written nahi kaha gaya to talaq nahi hoga.
- * Goonge ka talaq gesture se hoga.
- * Talaq ke saath agar koi shart jodi jaye to jaisa hi wo shart poori hui talaq hojayega.

TALAQ KI QISME

Talaq ke 2 qisme hy: Masnoon aur Ghair masnoon

MASNOON TALAQ

Jab shohar biwi ko talaq dena chahta hai, to wo talaq fauri nahi de sakta... Talaq dene ke kuch conditions hy.. Aurat Halat e Tohr me ho yaane

1. Aurat period/ menses me nahi ho
2. Period / Menses ke baad aurat paak hogai ho
3. Period/ menses ke baad azwaaj e taaluq nahi hua ho.

Shohar ne biwi ko kisi wajah se pehli baar talaq diya toh biwi ko menses aane tak wait karna hy...

Agar is dauraan un dono ke beech intimacy hui to nikah continue hoga

Lekin ye PEHLA TALAQ zindagi bhar count hoga

Agar intimacy nahi hui to aurat ke teen menses tak wait karna hoga. Phir talaq hojayega. Is waqt ko iddat kehte hy... ye waqt aurat shohar ke ghar guzaregi.

3 menses k baad bhi ruju nahi hui to talaq hojayega. Ab aurat azaad hojayegi aur wo kisi aur mard se nikah kar sakti hy.

Pehle talaq me hi un dono ka talaq hojayega. Doosre aur teesre talaq ki zarurat nahi. Lekin agar iddat ke baad dono saath me zindagi guzaarna chahte hai, to dono ko phir se **nikah karna hai naye meher, wali aur do gawaho ke saath.**

Pehle talaq ko **TALAQ-E -RAJI** kehte hai..

3 menses se pehle mard ko ruju karne ka haq hy.

RUJU- mard ruju 2 tareeqe se kar sakta hy.

1. Azwaaj e taluq se
2. Mard aurat ko keh sakta hy ke wo iske saath rehna chahta hy

Agar ruju hojaye iddat ke dauran to dono normal zindagi guzaar sakte hai pehle jaisa.

Ab agar phir dono me ladaai hui, shohar ne biwi ko talaq (doosri talaq) diya. To phir aurat ko iddat guzaarna hy uske ghar me.

Agar ruju hojaye, to nikah continue hoga

Lekin ye doosra talaq zindagi bhar rahega.

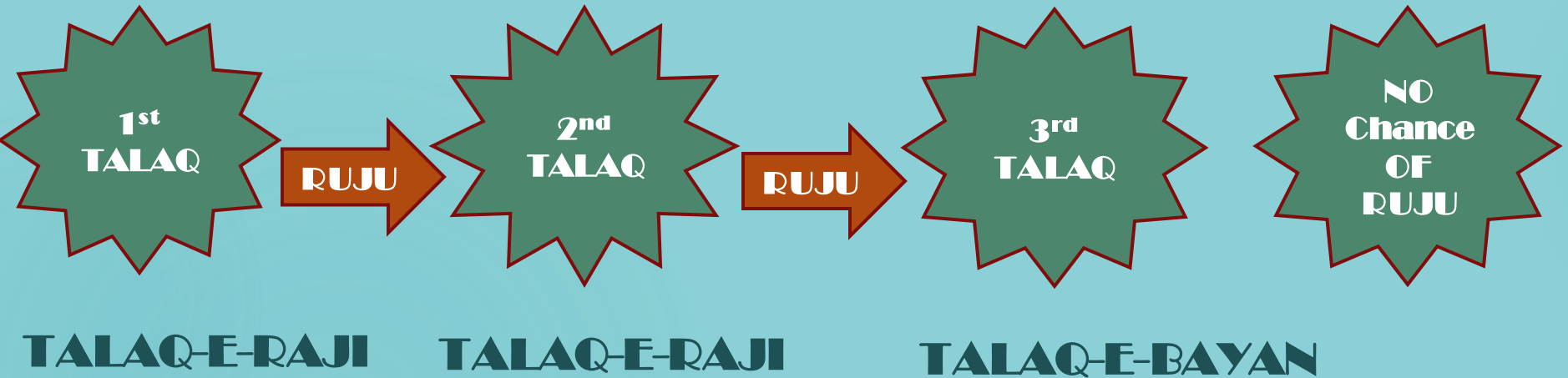
Agar ruju nahi hua, to iddat khatam hote hi talaq hojayegi. Agar iddat ke baad, wo dono saath me rehna chahte hy to, naya nikah karna hoga naye mehr, wali aur do gawaho ke saath.

Doosre talaq ko bhi **TALAQ- E- RAJI** kehte hai.

Agar phir dono me ladai hui, shohar ne biwi ko talaq (teesri talaq) diya, ab ruju nahi hosakta.

Is ko **TALAQ-E- BAYAN** kehte hai.

Talaq-e- bayan ke baad un dono me nikah nahi ho sakta. Aurat ko doosre mard se nikah karna hoga, is niyyat ke saath ke wo uske saath achi zindagi guzaaregi. Agar phir is aurat ka doosre mard se bhi talaq hojaye ya wo mard fout hojaye, tab ye aurat apne pehle shohar se nikah kar sakti hai.



GHAIR MASNOON TALAQ

Is type me teen talaq ek hi baar kaha jata hai aur aurat ko halat e tohr me rehna zaroori nahi.

Teen talaq dena ya kehna zaroori nahi, ek talaq se hi judai hojayegi.

Bahut se ulema ke qareeb, ye talaq jayez nahi hai. Ye Allah ke aur Aap SAWS ki talimaat ke khilaaf hoga.

Aap SAWS ke waqt bhi jab ek aadmi ne 3 talaq ek saath diya to, Aap SAWS ne kaha ke “ kya tum Allah ki kitaab ka mazaq karte ho, halanke mai tumhare beech maujood ho.”

MARD KO AURAT KE KHILAAF TALAQ KO HATHIYAAR KI
TARAH ISTEMAAL KARNA GHALAT HAI.