

Fatwa no. 12314

Q: I married a woman from another country, whose family said she was a 17-year-old virgin who had not slept with anyone before me, but whom I later found to be a 25-year-old non-virgin. I brought her with me to Saudi Arabia and lived with her for four months, during which time I found no fault with her in anyway. Would you now please give me a Fatwa (legal opinion issued by a qualified Muslim scholar) based on my question: Should I keep her with me or send her back to her country? If this would involve either a sin or goodness, please explain this to me. May Allah protect, support, and guide you.

A: If your marriage with this woman was concluded with the permission of her Waliy (a legally accountable person acting for a woman regarding marriage), and the conditions and Rukns (essential elements) of the marriage contract were satisfied, and there was no prohibitive impediment to the marriage, the marriage is valid. What you mentioned in the question about her not being a virgin or older than the stipulated age does not invalidate the contract. If a dispute arises between you over this, you should refer it to the courts.

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

The Permanent Committee for Scholarly Research and Ifta'

Member

`Abdullah ibn Ghudayyan

Deputy Chairman

`Abdul-Razzaq `Afify

Chairman

`Abdul-`Aziz ibn `Abdullah ibn Baz