



## **164116 - He said to her “You are divorced (talaq)” twice, as a joke, then she separated from him by khula’**

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### **the question**

I am from uk my question is around 4 years before in mimicking (naqal utarana mazaq mein) i was sitting with my husband and he was repeating whatever i was saying so to make him quite i said i give u talaq than he repeat i give u talaq....than again i said i give u talaq than again he repeat i give u talaq...after than i said to him now u have given me talaq and i know it was mimicking but he said it 2 times than we went to mosque one of mulana said to us do ruju and never do this kind of jokes,,,,now after 5 years i took khula from my husband and i have completed my iddat as well now at the time of khula he give me talaq one time and sign the khula paper as mulana ask him to do so,,,,now my question is altogether in life he has said 3 times talaq to me,,,,can we do another nikkha w/o marry to someone else i mean can i do nikkha to him again? b/c as at the time of khula mulana said to me that after your iddat

period you can remarry to anyone and to your ex husband as well with ....so my question is first 2 times he said talaq in mimicking and after than we had ruju and than after 5 years i took khula from him and in khula mulana ask him to say "talaq" one time and he said that .....but now in life altogether he has said to me 3 times ,,can i do fresh nikkha with him i mean can i remarry him or not...thanks JAZAK ALLAH.

i just want to clear my question is that i know he did talaq in mimicking 2 times and after that we had ruju but in khula as mulana in sharia council ask him to say i give u talaq....so he said that sentence once but now in life he said that talaq word 3 times i mean 2 in jokes and one in khula so can i remarry him or do halala is required.

### **Detailed answer**

Praise be to Allah.

Firstly:



The scholars differed as to whether a talaq given as a joke counts as such. The majority are of the view that it does count as such, as has been stated previously in the answer to question no. [44038](#). But whether the husband repeats the “talaq” twice or three times or more, it only counts as one according to the more correct opinion, because the second talaq can only be given after doing a new marriage contract or taking the wife back.

Based on that, what happened to you the first time was one talaq.

Secondly:

Khula’ is not regarded as a divorce (talaq), even if the word talaq is used, according to the more correct opinion. See the answer to question no. [126444](#).

Based on that, only one talaq has taken place, and if you want to go back to your husband, it is permissible to do so with a new marriage contract, because khula’ invalidates the first nikaah.

And Allah knows best.