83052 - He found a CD that belongs to his first wife and it is difficult to give it back to her

the question

I was married to a woman and then I divorced her for shar’ee reasons. I married another woman and we have a son, Alhamdulillah. My second marriage took place a year and a month ago.
The question: I found a CD about cooking belongs to my first wife in one of my drawers. What shall I do with it? If I keep it, my current wife will be upset and if I try to send it back to my first wife, this may cause unneeded problems. The first woman who I divorced will marry in few days. Shall I get rid of this CD or give it to anyone as a gift? Please advise me, may Allah bless you!.

Detailed answer

Praise be to Allah.

So long as this CD is the property of your first wife, then you must return it to her unless you are afraid that this will cause problems, in which case you may give it in charity on her behalf.

The scholars stated that in the case of items of low value -- even if they are seized by force or stolen -- if it is too hard to return them to their owner, they may be given in charity on his behalf. It says in Mataalib Ooli al-Nuha (4/65): If a person has in his possession something taken by force and does not know who the owners are, or he knows who the owner is but it is too difficult to give it to him, and it is of low value... Then he stated that he has the choice between handing it over to the ruler or giving it in charity on behalf of the owner.

So you have to give this CD as a gift to someone who will benefit from it and the reward for that will go to its owner.

And Allah knows best.