

Question 2011) - In which circumstances will a thief's hand not be cut?

A: It will not be cut in these scenarios:

1. For items which is regarded as free and permissible for all in the lands of Islaam e.g. wood, grass and reeds and fish which is still in the water and prey which is still in the wild.
2. items which swiftly deteriorate e.g. fresh fruit, milk, meat, watermelon, fruits on the tree, unharvested crops.
3. Mutribah [illicit party] drinks.
4. Tunbur [eastern mandolin]
5. Tabl, Daff [eastern drums] and flutes.
6. Mushaf of the Quraan, even if it be jewelled.
7. Crucifix, even if it be of gold or silver.
8. Chess.
9. Backgammon.
10. Kidnapping a free child, even if he has jewels on him.
11. Abducting an adult slave. However, the hand is cut for stealing a minor slave.
12. Registers, except for accounting registers.
13. Dogs and cheetahs.
14. The one who cheats does not have his or her hand cut.
15. Grave robber.
16. A looter.
17. Embezzler.
18. One who steals from the public treasury or booty.
19. Wealth in which one has a share.
20. stealing from a parent, child or blood related Mahram.
21. One spouse stealing from the other.
22. If slave steals from his owner, or owner's spouse.
23. If the owner steals from his Mukatab.
24. stealing from public baths or a building in which the public is allowed access.
25. A guest who steals from his host.
26. If the thief claims that the stolen item is his property, even if he does not produce evidence.

~ al-Quduri ~