



**Whatever a needy person eats without putting any in his pocket (and taking it away), there is no penalty on him. But whoever takes something away, he must pay a fine of twice its value and receive punishment. Whoever steals something after it has been stored properly, and its value amounts to the price of a shield, his hand must be cut off**

'Abdullāh ibn 'Amr ibn al-'Ās (may Allah be pleased with him) reported that the Messenger of Allah (may Allah's peace and blessings be upon him) was asked about fruit on the tree. He said: "Whatever a needy person eats without putting any in his pocket (and taking it away), there is no penalty on him. But whoever takes something away, he must pay a fine of twice its value and receive punishment. Whoever steals something after it has been stored properly, and its value amounts to the price of a shield, his hand must be cut off."

[Good chain of narrators] [Narrated by Ibn Majah - Narrated by At-Termedhy - An-Nasaa'i - Narrated by Abu Daoud]

The Prophet (may Allah's peace and blessings be upon him) was asked whether it is permissible to eat from the fruit on a tree that belongs to others. He said that picking something to eat immediately, without taking some of it in his clothes, is not punishable. The custom is that such a small amount is usually tolerated. However, if someone leaves an orchard, taking away an amount of produce with him, he has to guarantee it (i.e. pay its price) and receive punishment because he has taken something that is unlawful to him. Finally, taking an amount that is equal in value to a shield in the Prophet's time - which is the minimum amount for applying the corporal punishment for theft - from the storage and drying place, such an act is robbery and is punishable by cutting off the thief's hand, if the other conditions of cutting off are met.

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